

Ada County Domestic Violence Court

Program Evaluation Report

Qualitative
and
Quantitative
Findings

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Consultant Evaluation Team

Carol J. Harper, MPA

Cindy F. Parry, Ph.D.

Natasha Grossman, MSW

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Carol J. Harper, MPA
Cynthia F. Parry, Ph.D.
Natasha Grossman, MSW

Key Terms Related to the Study

Domestic Violence Court Coordinator – an individual within the Ada County Domestic Violence Court model who acts as an arm of the court, and is responsible for a number of tasks including: coordinating offender assessments, services, treatment and case plans on behalf of the court. The DV Court Coordinator is a resource for victims and serves as a liaison to other court professionals and community providers. The DV Court Coordinator is also a member of the DV Court team and the Treatment Team.

Discretionary Jail Time (DJT) – If an offender is non-compliant the offender may be sent immediately to jail for up to 90 days without a new charge of a probation violation being filed. Within the DV Court model, probation officers have permission to impose DJT without specific direct permission from a judge. The judge may also impose such jail time.

Judicial Monitoring – holding offenders accountable by having regularly scheduled court reviews. At this individually scheduled meeting, an overall review of the offender’s behaviors, compliance with orders, progress in treatment, and emotional state are reviewed. Progress reports from treatment providers are reviewed and swift and certain sanctions are given when offenders are non-compliant with court ordered services or activities. Victims are invited and encouraged to attend the offender’s review hearing and they may address the court or have their voices shared by court professionals.

Offender – the defendant in a criminal domestic violence case is referred to as the offender throughout this report including before the defendant has been charged or plead.

Victim – the individual on whose behalf domestic violence charges were filed.

Victim Witness Coordinator (VWC) – Victim advocates in the Court reside in the prosecutor’s office. Each victim is assigned a victim witness coordinator with whom to work for the duration of the case. Victim Witness Coordinators assist victims by providing them with the help and services necessary to speed their recovery after a domestic violence incident and to support them through the criminal justice process. VWC’s provide information to the victim about the criminal case and the court system. The Victim Witness Unit works to support victims through the criminal process to enable their recovery from the trauma of domestic violence and is committed to facilitating the treatment of victims with fairness, dignity and respect. VWC’s also provide crisis intervention, resource and referral, orientation to the criminal justice system, case notification and victim participation.

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Executive Summary

Introduction

The Ada County Domestic Violence Court is administered by the Fourth Judicial District, Magistrate Division in the state of Idaho. Since its inception, the goals of the Court have been enhanced victim safety and improved offender accountability. The Court sought to achieve this by decreasing the timeframes between major court activities, conducting post-sentence monitoring through judicial review hearings, and placing other family-related cases before the judge involved in the criminal case. Thus, central to this study was an analysis of court activities. A team of three external evaluators was hired to determine the effectiveness of this court model in achieving these goals. The evaluation was conducted between November 2009 and July 2010.

Through ongoing dialog with the Ada County Domestic Violence Court staff and key court professionals, a review of the literature, and considerations related to evaluation funding, design, and availability of existing data, it was jointly decided that this initial study would focus on three areas: achievement of key objectives related to the implementation and function of the Ada County Domestic Violence model, victim safety, and offender accountability. Establishing fidelity to the model, as is being done in this study, is an essential first step in interpreting data related to outcomes; an important step that some programs overlook.

This evaluation also limited its focus on the elements believed to enhance victim safety and offender accountability to those that are within this court's control. Thus, it is beyond the scope of the evaluation to measure implementation or outcomes in areas that are not the primary responsibility of the court such as, law enforcement response practices to referrals/calls, or the efficacy of policies and procedures employed by treatment providers, probation or victim witness coordinators.

This executive summary provides a brief overview of the Ada County Domestic Violence Court model, the study design, and then will highlight several of the key findings related to the implementation, focused on fidelity (e.g., outcomes regarding the implementation of a fast track court, accountability and monitoring practices). The full report provides greater details and additional information on: the historical development of specialized domestic violence courts and descriptions of the approaches and key elements these specialized court models have field-tested; background information on the development of the Ada County Domestic Violence Court model and description of key features and functions; study population details; and quotes from various stakeholder groups regarding the implementation of the model on court proceedings, victim safety, and offender accountability.

Historical Overview of Domestic Violence Courts

Beginning in the late 1970's and in response to the feminist movement, courts began to treat domestic violence cases differently. Before this time, domestic violence was seen as a private matter instead of a crime and few arrests were made. The federal and state governments responded by passing new laws pertaining to domestic violence. New laws created an exponential

growth in caseloads in the 1990's and 2000's and courts responded by starting specialized domestic violence courts. Judges assigned to the court had the opportunity to gain the knowledge and expertise to effectively manage domestic violence cases. These courts were initially set up to address both rising caseloads and to provide protection for individual victims. However, over time these specialized courts became a part of a larger community effort to change the culture that had accepted domestic violence as a private matter for many years. The model spread quickly and there are now specialized domestic violence courts in 27 states (Moore, 2009).

During this same time period, a number of other types of specialized courts were initiated, including drug courts, mental health courts, and community courts. Unlike some of these other courts, domestic violence courts do not have an agreed upon set of principles and procedures that govern them. While there have been several publications that outlined models of practice and policies for domestic violence courts, there are no federal or state laws mandating them (Moore, 2009). As a result, there are host of models implemented, having an array of practices and policies. Also, there are a number of studies that have strived to identify which combination of elements lead to the greatest success when addressing domestic violence.

Overview of the Ada County Domestic Violence Court

Broadly stated, the expected outcomes for the Ada County Domestic Violence Court (hereafter referred to as the "DV Court") are enhanced victim safety and improved offender accountability. The overall means to reach these outcomes is through an improved civil and criminal justice system response to domestic violence cases. The DV Court handles all misdemeanor domestic violence cases, including felony level domestic violence that are reduced to a misdemeanor, which occur outside of Boise, Meridian, and Garden City limits, but within the Ada County boundaries. The fulltime docket is split on a week-on, week-off schedule between two judges. These judges preside over the criminal domestic violence case for a specific offender and will hear all civil divorce, custody and child protection cases related to the same offender and preside over the same offender's review hearings as well as any future domestic violence cases that might occur while the offender is participating in the court process. In addition to the two judges assigned to this DV Court, a prosecuting attorney, a public defender, two probation officers and three victim witness coordinators are specifically assigned to the DV Court.

DV Court consists of six primary elements:

- a fast track approach to the disposition of criminal cases;
- on-going offender supervision of progress through judicial monitoring and intensive supervised probation;
- specialized assessment and comprehensive intervention for offenders;
- enhanced collaboration between those working within the system, and other stakeholders who are involved in assuring offender accountability and victim safety;
- comprehensive civil and criminal case coordination; and
- ongoing evaluation and assessment of the Court's operation and program goals.

This specialized court model was enhanced, in 2008, by the addition of a Domestic Violence Court Coordinator (hereafter referred to as “DV Court Coordinator”), funded through a grant awarded to the Idaho Supreme Court from the U.S. Department of Justice, Office on Violence Against Women, Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program. The role of the DV Court Coordinator is regarded as essential to the DV Court process, often referred to as the glue that keeps the efforts going and communication flowing. This “behind the scenes” person “fills” the gaps that naturally develop in a system in which there exist specialized roles and responsibilities.

“[The DV Coordinator] has been great. I had questions about filing different documents with the court and what the processes are. Every time I call, she calls right back. I feel like I am bothering her, but she never makes me feel that way.”—
DV Victim

Prior to the implementation of the DV Court, individuals who resided within Ada County experienced the same court model structure as those who resided in the Boise, Meridian and Garden City. During the course of the day in the traditional court, one of the judges assigned to the court hears a mix of criminal cases, which include domestic violence charges. This court is also served by numerous prosecuting attorneys, public defense attorneys, probation officers and victim witness coordinators. The court professionals present at the initial arraignment are probably not the same professionals that are later assigned to the domestic violence case. One impetus for the implementation of the DV Court was an awareness that it generally took just under three months for a case in the traditional court to move from arrest to a pre-trial conference. The Boise, Meridian and Garden City courts (serving those within the Boise City limits) operate in the same building as the DV Court.

Due to the DV Court’s fast track approach, by the time offenders in the traditional court model appear for their pre-trial hearing, offenders in the DV Court who plead guilty (which is the most likely outcome) will be expected to have:

- completed their required evaluations and assessments;
- provided their evaluation results to the Court; and
- started their treatment regimen.

Additionally:

- probation will have initial progress status reports to share with the Court;
- the victim will have had the opportunity to address their concerns to the Court;
- the probation officer, victim witness coordinators, and the DV Court Coordinator will have gathered additional information on the offender, the victim, and children for case planning activities;
- modifications or termination of the no-contact order (order of protection involving the victim) might have occurred; and
- a second judicial review hearing will already be scheduled.

Research Design, Approach, and Timelines

This evaluation used a combination of qualitative and quantitative evaluation approaches and a retrospective, quasi-experimental research design which used random selection and a comparison

population. This multi-faceted effort included the use of professional court stakeholder interviews, offender and victim interviews, surveys, case file review, and administrative data. The study examines cases which were served by either the DV Court or traditional court for one year between April 1, 2008 and March 31, 2009.

The primary goals of the evaluation were to examine the DV Court's achievement of key objectives related to the implementation and functioning of its model that includes: fast track pre-sentence case disposition, ongoing post-sentence judicial review hearings, and the coordination of other family related court cases under the authority of one judge. The impact from the addition of the DV Court Coordinator was also examined, specifically the DV Court Coordinator's role in increasing victim safety and offender accountability. See the full report for more details regarding the research designs, populations, and participation.

As with all studies there are limitations. The current evaluation was undertaken retrospectively and relied heavily on existing data sources. Much of the needed information was in case files which were both resource and labor intensive to collect. Therefore, the number of files that could reasonably be reviewed was limited, resulting in limited sample sizes for some comparisons. Resources, as well as concerns for the safety of victims placed limitations on sample sizes for victim and offender interviews.

While the research available does not strongly point to any one component as being the most effective in increasing victim safety or offender accountability, it does point to the notion that domestic violence is a complex issue that can only be addressed by a complex system of structures and services. The DV Court has incorporated most, if not all, of the components addressed in the literature and previous studies, including: judicial monitoring with swift and certain consequences; intense involvement of victim advocates; creation and assignment of a team of specialized staff including judges, prosecutors, public defender and probation officers to this court; batterer treatment, substance abuse treatment, and mental health treatment; as well as a court coordinator who maintains communication with and ensures timely reporting from community partners specifically treatment providers.

Study Findings

Overall the findings were very positive. Court professionals and community treatment providers expressed a high degree of satisfaction with the model and belief in its effectiveness, and data from the administrative data system and case file review supported the achievement of key goals related to faster processing of cases and increased monitoring of offenders. Statistically significant differences were found between the Ada County Violence Court model and the traditional model in the following areas:

Fast Track Court Process

An analysis of the DV Court timeframes from arrest to disposition supported the court professionals' belief that the DV Court model moved offenders more quickly through the court process and into treatment when compared to the traditional court's timeframes.

- Time from arrest to sentencing, arrest to pretrial conference, and arrest to beginning treatment, were all significantly shorter for offenders seen in the DV Court than in the traditional court ($p < .001$, $p < .001$, and $p < .05$; respectively).
- The average number of days from arrest to beginning treatment was 126.0 (ranging from 22 to 434) for the DV Court group and 259.4 (ranging from 56 to 556) for the traditional court group.
- Cases were significantly more likely to be disposed by a guilty plea under the DV Court model (86.5% as compared to 72.0%; $p < .01$) and significantly less likely to be dismissed ($p < .05$); leading to a faster transition to intervention and probation for DV Court offenders.

“The biggest complaint by victims [in the traditional court] is that by the time [the court process] is done they too are done. They don’t want to participate anymore because it took so long before the offender was held accountable and got treatment.”—Victim Witness Coordinator

Offender Monitoring

- Compared to traditional court, DV Court offenders were significantly more likely to receive supervised probation ($p < .001$). Specifically, 81.7% of offenders seen in the DV Court were given some time on supervised probation compared to 30.3% of the traditional court group.
- DV Court offenders also spent significantly more time on supervised probation ($p < .001$) than traditional court offenders; an average of 1.96 years compared to 1.6 years for the traditional court group. The groups did not differ in length of time on unsupervised probation.
- DV Court offenders also appeared to be more closely monitored than traditional court offenders. These offenders had significantly more meetings with probation ($p < .001$) and judicial contacts ($p < .001$) than traditional court offenders. On average offenders seen in the DV Court had 9.67 judicial contacts as compared with 2.98 for offenders seen in the traditional court. This difference was also statistically significant ($p < .001$).

Court Ordered Services and Compliance

Information related to court ordered services and compliance was obtained from record reviews done with the small groups of approximately 20 offenders each randomly selected from the DV Court and traditional court. All of these offenders were on supervised probation.

Although numbers were small, some statistically significant differences were found in patterns of services ordered by the two courts, in completion rates for domestic violence treatment (also known as Batterer Intervention), and in ratings of progress in treatment between the two offender groups. These are presented below.

Services Ordered

- All DV Court offenders were ordered to participate in domestic violence treatment as a requirement of the model. As a consequence, DV Court offenders were ordered to participate in significantly more services ($p = .001$) than offenders before the traditional court. Most offenders in both courts were ordered to 52 weeks of domestic violence treatment (84.2% of DV Court Offenders and 81.8% of Traditional Court Offenders).
- DV Court offenders were significantly more likely to be ordered to mental health services ($p = .003$).

- Orders for substance abuse evaluation were issued more frequently for the DV Court group; however, this difference did not reach statistical significance, perhaps due to the small numbers of offenders included in the analysis. Percentages from both courts ordered to attend substance abuse treatment were similar; 6 of 19 offenders in the DV Court group and 7 of 20 offenders in the traditional court group.

Completion of Domestic Violence Treatment

- At the end of the study period, 21.1% of DV Court offenders had completed domestic violence treatment and another 57.9% were still engaged in treatment. Although a higher percentage of DV Court offenders than traditional court offenders had either completed treatment or were actively attending treatment (79.0% compared to 54.5%), these differences did not reach statistical significance, which may be a function of the small sample size in the current analysis.
- DV Court offenders experienced a statistically significant positive change in progress ratings from their first to their latest treatment progress reports¹.
- In comparison to traditional court offenders, DV Court offenders experienced a greater degree of change in treatment as indicated by progress reports. Again, however, this difference did not reach statistical significance, which again, may be a function of the small sample size.

Compliance with Court Orders

- Comparisons between randomly selected subsets of offenders from the two courts showed no statistically significant differences in outcomes related to compliance with court ordered treatment, compliance with probation (e.g. number of visits missed, probation violations), or number of missed or positive drug and alcohol tests.
- This lack of observed differences in compliance should be viewed with caution, however. Differences in compliance should be explored further with larger numbers of offenders and a longer follow-up period for several reasons:
 - All offenders in these comparison groups were on supervised probation; thus, the lack of differences in compliance measures may be due in part to the effective role that supervised probation plays in the offender’s rehabilitation process.
 - Numbers available for analysis were quite small. Data on service completion were available for only a few offenders, in part because there was not sufficient time available to complete treatment before the end of the study period. Additionally, relatively few people were ordered to participate in some of the other possible services, and services ordered were not evenly distributed across DV Court and traditional court groups.

¹ The DV Court requires that monthly treatment progress reports are filled out by treatment providers. These rate an offender’s participation and progress in treatment and are submitted to probation and to the court at the review hearing.

Victim and Offender Perspectives on Accountability

Increased Judicial Monitoring and Review

When asked to describe potential benefits of the judicial monitoring and review hearings, with a few exceptions those victims who chose to participate in interviews reported that keeping them informed about the offender's progress in treatment, holding the offender accountable, and giving the victim the opportunity to participate were beneficial. Most appreciated the fact that the offenders had to follow-through with treatment and other court ordered requirements.

“Absolutely there was a benefit. The parole officer was there at every review hearing – the constant monthly review hearings were very positive as far as keeping the accountability there.” —DV Court Victim

DV Court offender perspectives on increased monitoring (from a probation exit survey, n=49) were positive. Most (81%) reported that review hearings were helpful and positive. Three (7%) out of the 46 who responded to this question were not supportive, primarily because they felt there were too many hearings, and two (4%) had no comments.

Court-Ordered Domestic Violence Treatment

All six offenders interviewed from the DV Court attended domestic violence treatment and five of the six found the class to be valuable. Several of the offenders reported they wish they had heard this material early in their life.

Victim Self-report Regarding Safety

Victims reported feeling safe for a variety of reasons:

- no-contact order being put in place quickly;
- concerns being addressed when brought to the attention of the court directly or via out of court dialogs with court professionals;
- knowing more about what was happening with the offender, feeling that they had a voice in court and that the offender was being held accountable; and
- increased awareness of resources from interactions with victim witness coordinators and the DV Court Coordinator.

Benefits of the Domestic Violence Court Model

Professional court representatives were very supportive of and pleased with the DV Court approach. Using a five-point scale – five being “greatly,” 3 being “somewhat,” and 1 being “doesn’t,” all elements were highly rated. The most highly rated element by court professionals was the “existence of the court review process” (4.85) followed by “monitoring of court ordered services” (4.65). The six community treatment providers surveyed were also supportive. The most highly rated elements among these professionals were “having the same judge at all court appearances” and “having the same judge hear criminal and civil cases.” These two elements shared an average score of 4.67.

“I was a prosecutor and I have been a judge and it is [DV Court] the best thing I have ever done – it is why you went to law school, it is why you went into public service, it is why you went into criminal law, because you wanted to make a difference. It is not just holding someone accountable, making someone safer – it is doing all those things at the same time.”—
DV Court Judge

Court professionals believe that the DV Court model and the assigned “team members” support their ability to respect each others’ legal and professional roles; that the process, although quicker, does protect the rights of all parties; and that the model elements enhance the safety of victims and keep offenders accountable. Community treatment providers surveyed gave overall high ratings to key DV court elements, and the extent to which court processes implemented met outcome objectives. Having one judge presiding from start to finish on a case, having one judge hearing all related cases for the same offender, maintaining ongoing and frequent court review hearings, the role of the DV Court Coordinator, the fast track approach to disposition of cases, and the intensive monitoring of court ordered

services all were rated 4 or higher on a 5-point scale by these professionals. Among court professionals, these same items were also specified as key factors to enhance victim safety and/or offender accountability along with other elements and practices, such as earlier engagement of advocates and access to services for offenders. Another indicator of support for this model was the high ratings given by community treatment providers and court professionals for sustaining the DV Court, (9.8 and 9.3 on a 10 point scale, respectively). Listed below are some specifics regarding benefits.

Fast Track Handling of Cases

All professional stakeholder groups spoke about the ability of the DV Court to reach a swift disposition, therefore allowing for earlier offender accountability, provision of ongoing monitoring, the gathering of more in-depth information about the situation and individuals sooner, getting the offender into comprehensive treatment much earlier, and providing victims and their children appropriate referrals and resources.

Strengthened Inter-Agency Relationships and Communication

Central to the functioning of the DV Court model and the occurrence of positive outcomes is the willingness of all the professionals to engage in ongoing dialog, while maintaining their job function, and making use of the DV Court Coordinator. An additional noted benefit is the ongoing assignment of the same professionals. With time and experience, trust and respect has developed among these individuals as well as the development of the individual’s professional knowledge and skills in working with this population.

“In a real sense the court is more problem solving and holistic than a normal court – everyone is able to maintain their function, but there is greater and richer communication which results in cases being resolved more quickly with a better resolution as a result of that.”—DV Court Judge

Recommendations

Based on the current evaluation, five areas emerged that warrant consideration in efforts to strengthen the functioning of the Ada County Domestic Violence Court. These were areas that were addressed by several of the court professionals, victims and offenders alike, and highlight areas the court may seek to address to increase its success in providing increased offender accountability and victim safety.

The first issue was the financial burden the court involvement placed on families. This issue was even more important to this court because of its interest to learn whether or not this approach reduced the financial chaos for the family. The combination of a no-contact order (creating the necessity for a family to financially support two households), and payment for supervised probation, domestic violence treatment, and sometimes substance abuse treatment, has the potential to create a financial crisis for many families. Most offenders, victims, and court professionals were supportive of these interventions as important elements to ensure victim's safety and or as a means to facilitate positive changes in offender behavior. It is possible that this issue was more pronounced because of the current economic downturn, with three offenders noting a loss of employment during some point in the process or not having the money to make bail. Victims also reported having to make difficult choices as a result of this financial burden, including choosing between paying bills and buying food for their children and postponing recommended medical treatment for themselves and college for their children. A few victims also talked about the financial burden creating more stress; concerned that it might become a factor in future violence because of the ongoing arguing over money.

Therefore, it is recommended that the court consider a sliding fee scale for these services. It could be argued that a monthly \$50 supervised probation charge does not constitute enough of an investment in the program for the CEO of a company to stay engaged or take the program seriously, while for someone who is unemployed, a \$10 charge could constitute a significant investment.

The second recommendation comes primarily from information gathered during interviews with victims. Some reported that they would have liked to have had some form of mediation for communication with the offenders during the no-contact order timeframe so they could exchange information with their partners regarding finances and child rearing.

A third recommendation is for the Court to investigate ways to provide support services for victims; either directly or through a referral process. Victims reported that they would have liked access to individual counseling and marriage counseling or a peer support and education class (in order to understand the court/domestic violence process-what to expect as well as access to general and specific information about domestic violence, how they came to be in this situation and how to make better choices in the future). As two victims expressed, offenders have to attend a 26 or 52 week class, and victims are not offered such an opportunity.

The fourth recommendation goes to the field in general as well as this specific court. The suggestion is to explore what types and levels of accountability, treatment and intervention might be appropriate in different situations that ensure victim safety; balancing concern for victim safety

and offender accountability with an awareness that court and related legal intervention might lead to increased stress, loss of employment, and financial burden for individuals and families.

Finally, it is recommended that further evaluation be done on the effectiveness of the Ada County DV Court model. Specifically, a prospective study with larger numbers, more detailed information about services, and a longer follow-up period is needed in order to assess the Court's role in bringing about behavioral change in offenders.

Reference

Moore, S. (2009). *Two Decades of Domestic Violence Courts: A Review of the Literature*. New York, NY: Center for Court Innovation.

Chapter One

Introduction and Report Overview

Introduction

Since its inception, the goals of the Ada County Domestic Violence Court have been enhanced victim safety and improved offender accountability. The Court sought to achieve this by decreasing the timeframes between major court activities, conducting post-sentence monitoring through judicial review hearings, and placing other family-related cases before the judge involved in the criminal case. Central to this study was an analysis of court activities. A team of three external evaluators was hired to determine the effectiveness of this court model through a competitive request for proposal process. As a result of ongoing dialog with the Ada County Domestic Violence Court staff and key court professionals, a review of the literature, and considerations related to evaluation funding, design, and availability of existing data, it was jointly decided that this initial study focus on three areas: achievement of key objectives related to the implementation and function of the Ada County DV Court model, victim safety, and offender accountability. Establishing fidelity of implementation, as is being done in this study, is an essential first step in interpreting data related to outcomes; an important step that some programs overlook.

This evaluation examined current literature and work conducted by the judges and other court staff. Similarly, this court also explored the literature and engaged with others in the field prior to finalizing its court model and implementation to determine what processes and elements of other specialized domestic violence courts were most effective in achieving desired outcomes. Those involved in the construction of the Court also collaborated on assembling their collective and discrete experiences and knowledge of which past endeavors were successful in their community. Thus, the resulting approach is grounded upon best practices and based on a collaborative commitment to fully implement the elements that were determined to result in best legal practices while providing optimal restorative outcomes. For example, this court established a tailored judicial monitoring process that involves face-to-face meetings with the same judge and the same team of other court professionals. Meetings occur at time intervals assessed to be appropriate for each individual offender based on that offender's actions (e.g., compliance with court orders, probation recommendations, treatment participation and outcomes, drug and alcohol testing results, and insights provided via the victims). Their hope is that this study will add to the growing body of studies and articles on specialized domestic violence courts and will support those courts' implementation efforts interested in and committed to ongoing quality improvement.

This evaluation seeks to maintain focus on the elements believed to enhance victim safety and offender accountability that are within this court's control. It is beyond the scope of the current evaluation to measure implementation or outcomes in areas that are not the primary responsibility of the court (e.g., law enforcement response practices to referrals/calls, or the efficacy of policies and procedures employed by treatment providers, probation or victim witness coordinators).

Organization of the Report

This evaluation report is organized into nine chapters. Chapter One serves as an introduction. It includes a brief historical overview of domestic violence courts nationwide, of the Ada County

Domestic Violence Court, and details this evaluation's goals and objectives. Chapter Two provides more detailed background information on specialized domestic violence courts which includes the approaches and key elements of the various court models. Chapter Three describes key features and functions of the Ada County Domestic Violence Court model. The evaluation design used to examine the Ada County DV Court, including data sources and methodology are covered in Chapter Four. Chapter Five describes the community served by the court, and characteristics of the offenders served through the Ada County DV Court. Evaluation results are presented in Chapters Six, Seven and Eight. Outcomes from quantitative analyses gleaned from case review and other administrative data sources are presented in each of these chapters, as well as detailed insights from key stakeholder interviews, focus groups, and surveys. Chapter Six specifically deals with implementation of the DV Court model, Chapter Seven covers findings related to victim safety, and Chapter Eight outlines results related to offender accountability. Finally, Chapter Nine presents a summary of findings and recommendations from this evaluation.

Evaluation Goals and Objectives

The evaluation design was developed and implemented by three external evaluation consultants in partnership with the DV Court staff. The evaluation timeline was from November 2009 to April 2010. The primary goals of the evaluation are to examine the DV Court's achievement of key objectives related to the implementation and functioning of its model that includes: fast track pre-sentence case disposition, ongoing post-sentence judicial review hearings, and the coordination of other family related court cases under the authority of one judge. The impact from the addition of a DV Court Coordinator on the handling of domestic violence cases is also examined, specifically the DV Court Coordinator's role in increasing victim safety and offender accountability.

This evaluation examines outcomes related to the DV Court's success with offender accountability and, more indirectly, with victim safety. Victim safety is a complex issues in that it depends on many factors, many of which are beyond the immediate control of the Court; and a full assessment of these factors is beyond the scope of the current study. However, it is logical to conclude that a fast tracked criminal court process ensures that fewer cases are dismissed and less time elapses before offenders begin treatment, which in turn will hopefully support increased victim safety. Similarly, with both increased offender monitoring and accountability, victim safety should be enhanced and victim confidence in the legal system to provide the victim with protection would be increased. It would be anticipated that awareness of abuse by the court would increase due to their ongoing monitoring and reported abuse by victims would increase if they feel greater confidence in the legal system's ability to respond.

As stated earlier, the three major evaluation areas included in this study were the implementation and functioning of the DV Court model, victim safety, and offender accountability. Within these areas, twelve, more specific research questions were developed and formed the basis for data collection and analysis. (See Appendix A for list of specific research questions.) Both quantitative data and qualitative information are used in this evaluation.

Quantitative information from administrative data systems including the Idaho Statewide Trial Court Automated Records System (ISTARS), calls to law enforcement, and case file supplements were used. Qualitative data was also used to examine the function of the court and its impact on

offenders and victims. Qualitative data gathered from interviews, surveys, and focus groups with the DV Court staff, judges, other key professional court partners, and community treatment provider surveys, and victim and offender interviews, were also used.

Implementation and Functioning of the Domestic Violence Court Model

To examine the extent to which the DV Court has been successful with fast tracking the cases through the court system, if there is an increased coordination of services, and if there is increased offender monitoring, major processes, timeframes, and service referral patterns are compared between the DV Court and the traditional court. Specifically, the following questions were examined:

- What are common experiences between the DV Court and traditional court offenders related to key points in the life of a case (e.g., arrest, plea, sentencing)?
- What are the related timeframes for, and between, each point in the legal process?
- What patterns and differences are there in the court disposition pertaining to the domestic violence charge, level of judicial review, use of probation, and the use of discretionary jail time?
- What treatment, services, and supports (i.e., offender referrals to domestic violence, substance abuse, and mental health evaluations and treatment) did participants in this court receive and within what timeframes? Did these differ from the services and treatments ordered by the traditional court?
- Which factors are perceived by those involved to support or inhibit successful implementation of the DV Court model?
- What are the perceived benefits of the DV Court model? For example, does having a single judge who hears the criminal domestic violence case and presides over concurrent and/or subsequent divorce, custody and child protection cases protect offenders' rights?
- Does this court process reduce conflicting orders?
- Do those involved with the Court perceive that there are effective, coordinated and enhanced safety measures in place for victims? What do different players within this system think are the benefits of having the DV Court Coordinator?

Victim Safety

The examination of victim safety entailed looking at factors believed to reduce the likelihood of future domestic violence, including:

- types of assessment, services and treatments ordered for offenders by the court;
- changes in offender employment, relationships, income, and substance abuse, which might indicate a greater stake in conformity (LaBriola, Remple and Davis, 2005);and
- factors believed to be important to victim safety; such as victim engagement, including immediate access to advocates, access to services and ongoing information about the court process and status of the case (Mazur and Aldrich, 2003).

This section also includes data on a number of qualitative variables. For example:

- Do victims feel safer?
- Do victims feel supported and that their needs are met?
- What services did victims find supportive?

A detailed analysis of the DV Court that examines long-term outcomes such as recidivism is beyond the scope of this current evaluation and requires a retrospective analysis. It is important to allow offenders the opportunity to exit the court process and a reasonable amount of time to lapse before determining if the court's interventions have been effective.

Offender Accountability

This area describes outcomes related to compliance with court ordered assessment, treatment, compliance with the requirements of supervised probation (e.g. number of visits missed, probation violations), and the rates of discretionary jail time usage. Various perspectives on the role of the DV Court Coordinator in ensuring accountability are also discussed.

Chapter Two

Previous Research on Specialized Domestic Violence Court Approaches

For nearly 20 years, courts around the United States have been implementing specialized courts to address domestic violence. Most of these domestic violence courts focus on two key goals: reducing the likelihood of future violence and holding the offender accountable. According to a 1998 survey conducted by the National Center for State Courts, there are more than 200 courts in the US providing specialized processing practices for domestic violence cases. These practices vary, but include such features as specialized intake centers, separate court calendars, and special domestic violence units (Karan, Keilitz, and Denaro, 1999). By 2001, estimates had increased to over 300 courts incorporating some form of specialized processing and structure within the existing judicial system (Keilitz, 2000; Levey, Steketee, and Keilitz, 2001).

Given the interest in specialized courts and the variety of approaches that a community might call a specialized court, it raises the question: Is there a minimum set of elements that needs to be in place for a court to qualify as a specialized court? A collaborative effort to develop a guideline for creating a domestic violence court (Sack, 2002) suggests that the foundation of a domestic violence court rests on nine core values and principles. These principles include: 1) victim and child safety, 2) keeping the victim informed, 3) offender accountability (offenders must be closely monitored to ensure that they are in compliance and face swift and certain consequences if they fail to comply), 4) information sharing and informed decision making (between judges, batterer programs and victim advocates as well as across diverse parts of the justice system), 5) institutionalized coordination of procedures and services (coordination must be institutionalized in written protocols, procedures, memoranda of understanding and job descriptions), 6) training and education (including judges, bail commissioners, clerks, court reporters, advocates, prosecutors, defense attorneys and guardians ad litem), 7) judicial leadership (judges can maintain impartiality while speaking out publicly against domestic violence crimes), 8) effective use of the justice system (monitoring offenders' adherence to mandated treatment, orders of protection and other requirements and imposing swift and certain sanctions when they fail to comply, and 9) accountability of courts and programs (program accountability and system accountability). All of the necessary elements of the court can be linked to one of these key principles.

Efforts to identify these key elements have focused on several core principles that are specific to a specialized domestic violence court (Sack 2002; Mazur and Aldrich, 2003). In addition to being linked to a core principle, each element can be linked to one of the two overriding goals of the specialized domestic violence court, victim safety and offender accountability. The first necessary elements are the victim service elements. These support victim engagement and enhance victim safety. Early access to advocacy support and services is key, with professionals providing safety planning, an explanation of the court process and an assignment to a victim advocate. Victims should also have access to counseling, job training, immigration services, child services and others that support self-sufficiency. Services should be frontloaded, linking victims to concrete resources and legal (including civil legal) services. Hearings should be scheduled promptly to ensure that orders of protection are in place and to avoid delays that may give the offender the opportunity to convince the victim to be uncooperative with the system. Victims should be kept up-to-date on the case and there should be "safe places" within the courthouse that are private and allow the victim

to speak with an advocate. Victims should be escorted to and from the courtroom and, ideally, have a victim advocate sit next to them throughout the hearing.

The second set of elements is associated with offender accountability. The key elements involved here are related to judicial monitoring and coordination of community partners (Mazur and Aldrich, 2003). Research indicates that judicial monitoring may be the most effective technique for reducing recidivism. Therefore, domestic violence courts seek to take advantage of the coercive and symbolic authority of the judge. One of the most important pieces is the assignment of a permanent judge from arraignment through the life of the case. One judge hearing the case from start to end enables the judge to become more familiar with the parties and the facts of the case (MacLeod and Weber, 2000) and make more informed decisions. This also allows for the court to respond to special issues and reduces the ability of the offender to “play the system”. The offender should be supervised continuously, from arraignment through post-disposition and may require a number of different methods, including phone check-ins, and ankle monitors. Increased use of judicial monitoring significantly reduces the likelihood of sanctions for non-compliance and increases the severity of penalties for missing mandated programs and failing to meet with probation officers (Harrell, Schaffer, DeStefano, and Castro, 2006; Harrell, Newmark, and Visher, 2007). Moreover, a dedicated staff that is a part of a coordinated team supports the judge’s ability to monitor a case. This can include a coordinator that maintains the relationships between court staff and off –site providers.

Beyond helping the offenders to understand that they are directly accountable to the judge for their behavior toward the victim and for their compliance with court orders, accountability can be broadened to include program accountability and system accountability. Program accountability involves keeping governmental and not for profit organizations accountable to effectively serve victims and offenders and to maintain timely reporting to the court. System accountability includes self-examination in the form of audits to ensure that protocols are being followed and quantitative analysis to measure whether programs are meeting their stated goals. Part of this approach is a philosophy that a specialized court requires a coordinated community response, with a wide range of partners, working together to send the message that domestic violence is not acceptable (Sack, 2002) and to create policies and procedures to increase the safety of victims of domestic violence (Moore, 2009).

Given that there are several studies that have shown that batterer treatment is not effective in changing behaviors, professionals have begun to consider a community response to domestic violence. Rather than focusing solely on behavioral changes among offenders, these programs seek to hold offenders accountable through a partnership between the court, batterer treatment programs and victim assistance, thereby demonstrating the seriousness of the crime and sending the message that domestic violence is unacceptable behavior (Labriola, Remel and Davis, 2005).

In a follow up study, Labriola, Rempel, O’Sullivan and Frank (2007), examined how and when criminal courts use batterer intervention programs, why courts mandate batterer intervention programs, and how courts respond when offenders are noncompliant. The study found that nearly all courts mandate batterer intervention programs for the majority of offenders and that probation plays a role in supervising these mandates (94% involve probation in all or some of their batterer intervention program mandates). Sixty two percent of the courts reported that they require

offenders to report back for compliance monitoring, yet only 58% of those courts held the first incidence of monitoring within four weeks of the mandate. In addition to batterer intervention, the majority (83%) of the courts reported that they sometimes mandate offenders to other types of programs like alcohol, substance abuse and mental health treatment, and anger management.

While a major focus of these courts was stated to be “accountability,” sanctions for offenders who were not compliant were not consistently imposed. In general, courts reported a higher percentage of sanctions for non-compliance than the batterer intervention programs or victim assistance agencies reported. These agencies report that at least 40% of criminal courts “always” or “often” impose a sanction in response to non-compliance, while the courts themselves reported doing so 74% of the time. Batterer intervention programs and courts agreed that courts were more likely to use less severe sanctions than more severe sanctions like jail time or probation revocation. Only 27% of courts and 17% of batterer intervention programs report that jail time was “often” or “always” imposed as a response to non-compliance. While 94% of batterer intervention programs nationwide submit compliance reports (in 79% of those cases directly to the court), only 12% of the courts reported having written protocols outlining which sanctions would be imposed in response to non-compliance. Of those that did bring offenders back to court after a report of non-compliance, only 26% of the courts reported doing so within two weeks of receiving the report, and 37% reported that they did so within a month. These results point to the lack of consistent use of sanctions for non-compliance; and raise the question of what positive outcomes might occur if swift and certain consequences were used.

Several studies were not able to demonstrate a relationship between specialized courts and reduced recidivism, although it should be noted that no study has examined the effectiveness of batterer intervention, in combination with judicial monitoring that demonstrates swift and certain consequences. However, two of the studies reviewed found a relationship between domestic violence courts and re-offending. One study showed a 50% decrease in recidivism at 18-month follow-up for those that went through a specialized court (Gover, MacDonald, Alpert and Geary, 2004).

A study by Gondolf (1998) showed that 30-day review hearings dramatically decreased (from 52% to 35%) the number of offenders who did not complete a 16-week batterer treatment program. This was attributed to a reduction in the “no show” rate of offenders to treatment programs from 36% to 6%. The re-arrest rate for those who completed programs was 8% vs. 16% for those not referred to batterer programs (Gondolf, 1998). Goldkamp, Weiland, Collins, and White (1996) found that, 40-50% of the offenders who were processed by the domestic violence court were under the influence of alcohol or drugs at the time of the domestic violence incidents, and that offenders who participated in the integrated treatment program re-offended against the same victims at a lower rate (6% versus 14%).

Studies that were not able to link the involvement in a specialized court to reduced recidivism, showed the primary predictors of lower recidivism to be a “stake in conformity” variables including length of employment, residential stability, age and marital status (Feder and Dugan, 2002). The theory behind this is that those with more to lose are more likely to remain in compliance with court orders (Sherman and Smith, 1992).

While the research available does not strongly point to any one component as being the most effective in increasing victim safety or offender accountability, it does point to the notion that domestic violence is a complex issue that can only be addressed by a complex system of structures and services. Taking this into account, the Ada County Domestic Violence Court has incorporated most, if not all, of the components addressed in this discussion, including: judicial monitoring with swift and certain consequences; intense involvement of victim advocates; creation and assignment of a team of specialized staff including judges, prosecutors, public defender and probation officers to this court; batterer treatment, substance abuse treatment, and mental health treatment; as well as a court coordinator who maintains communication with and ensures timely reporting from community partners including treatment providers. This coordination of efforts is central to the Ada County model.

Chapter Three

The Ada County Domestic Violence Court Model

Overview

The DV Court handles all of the misdemeanor domestic violence cases, including felony level domestic violence that are reduced to a misdemeanor, which occur outside of Boise City limits, but within the Ada County boundaries. The fulltime docket is split on a week-on, week-off schedule between two judges. The DV Court in Ada County is charged with changing the culture of victim safety and offender accountability. Other than a grant through the U.S. Department of Justice, Office on Violence Against Women (OVW) to fund the Domestic Violence Court Coordinator position within the court, the DV Court has no other sources of grant funding for services. The development of the DV Court required a systems change that resulted in a specially designated assignment of judges, prosecutors, victim witness coordinators, and public defenders to handle domestic violence cases. The paradigm shift also required the cooperation of the clerk's offices and in court clerks from various courtrooms. It is important to note that the DV Court is more than a specialized docket. Unlike Drug Courts it is not a diversion model and not voluntary. The court blends a fast track criminal court docket with on-going judicial monitoring, intensive supervised probation, specialized offender assessment and comprehensive case planning, as well as case coordination for family members who are also impacted by the DV Court process. This model also may place civil divorce, custody and child protection cases before the judge that presides over the criminal domestic violence case. Effective collaboration between key stakeholders is a crucial element of the successful DV Court's operation.

Appendix B contains select Idaho Statutes related to domestic violence.

Key Domestic Violence Court Model Features

The Fast Track Process

The fast track criminal court model was established to enhance victim safety and increase offender accountability in domestic violence cases. The model differs from some other diversion court models in that it prohibits any ex-parte contacts, as well as safeguards the constitutional rights of the defendants. The Ada County Prosecuting Attorney's Office changed how they investigated, prepared, and fast tracked victim contact for these cases. A quick resolution of the criminal case allows for immediate accountability for offenders. Offenders are quickly routed into the treatment process. Victims, (and often times respective children), can begin the reconstruction process sooner than the traditionally structured courts allow. If the family chooses to stay intact, the DV Court encourages the victim to put safety measures into place as a condition of the removal of a no-contact order. For families who stay together, this expedited process helps prevent further familial deterioration and the associated financial chaos that often accompanies protracted legal proceedings.

The goal for the fast track process utilized by the DV Court is to significantly abbreviate the period of times between the alleged offense, the defendant's arraignment, pre-trial conference, motion hearings, and possible trial. Accelerated disposition of criminal domestic violence cases should

speed case resolution, expedite the offender's entrance into treatment, provide additional contact with a single judge, and increase the court's ability to monitor the offender and provide safety for the victim. Ideally, cases in DV Court move from arrest, to plea, to sentencing within a two-week period. Defendants are issued a no-contact order at arraignment that prohibits contact with the victim. Within one week of being arrested, defendants typically appear before the DV Court for their first pre-trial conference. Discovery in the case should be available for production at the first pre trial conference. This expedited process requires a coordinated collaborative response from all of the dedicated stakeholders involved in the DV Court. Ideally, the DV Court resolves cases within 45 to 60 days after the arrest date.

An important element to the DV Court model is a partnership with law enforcement. Thus, the Ada County Sheriff's Office (ACSO) has an integral role. The fast track approach to handling domestic violence cases is possible because the police reports, the officer audio, and 911 calls are made immediately available to the prosecutor's office. This allows the prosecutors to move quickly on these cases and discovery can be delivered to the defense attorney in a timelier manner. This requires a strong collaborative relationship with the ACSO and diligence on their part. The ACSO has specialized detectives that are assigned to domestic violence cases. In addition, the ACSO has organized Community Action Response Teams that are responsible to respond quickly to outstanding warrants in domestic violence cases. Along with other essential DV Court partners, the ACSO examined their traditional approaches and made considerations in terms of jail options, sanctions, and treatment options. Adjustments such as these enhance the ability of the court to deliver appropriate sanctions and to effectively case plan for offenders.

On-going Judicial Monitoring

Research such as that provided by Gondolf (1998) reflects that when offenders who are convicted of intimate partner violence are monitored through close judicial, post-conviction, review hearings, victim safety and offender accountability outcomes are improved. This is accomplished by using the power of the court to help monitor offender compliance with court orders throughout the probationary period. The judge, prosecutor, public defender, defense counsel, probation, victim witness coordinators, offenders, victims, and the DV Court Coordinator, work as a team to assure system accountability. Offenders re-appear before the Court on a periodic basis throughout their probationary term. The length between each review hearing is determined by the offender's level of progress while on probation. An offender who has had difficulty complying with probation requirements may appear before the Court every thirty days, whereas an offender who has made considerable progress while on probation may be required to attend review hearings every 60, 90, or 120 days. Frequent review hearings provide the offender with immediate consequences for non-compliance with court orders. Review hearings also give victims a forum to express concerns. This can be accomplished in person during review hearings or through communication with the DV Court Coordinator, a victim witness coordinator or the probation officer. This approach allows for immediate response to safety concerns and no-contact order issues.

During the review process completed evaluations and progress reports from treatment providers can be explained or reviewed. The offender's drug and alcohol tests may also be discussed. The probation officer is present at all review hearings and provides an oral report on the offender's attitude and progress. If there are any concerns that need to be addressed, they are dealt with at this time. If an offender has been noncompliant with court orders or the terms of probation, the

judge may issue a verbal warning, impose discretionary jail time or require the offender to perform a community service. The offender may be required to return for their next review hearing in a shorter period of time to re-assess compliance with the court. If the offender has been successful in their probation program, the judge and DV Court professionals provide the offender with encouragement and positive feedback. The expectation that the progress will continue is also expressed.

The offender's no-contact order may also be discussed and modified during review hearings. For example, the DV Court Judge may quash a no contact order as a result of a victim's petition. The judge may modify no-contact orders to address complications or concerns such as what type of contact (i.e. telephone, email, public, etc.) the victim and offender will be allowed to have. Modifying a no contact order to address issues like third-party contact and child visitation and/or exchange may be appropriate to review and alter as treatment progresses. The judge relies on information from the prosecution and defense, as well as the probation officer, treatment providers, victim witness coordinator, victim and offender to determine whether or not it is appropriate to terminate or modify a no-contact order.

Intensive Supervised Probation

Upon conviction or a guilty plea, most offenders are sentenced to a two-year period of supervised probation depending on the circumstances of the case and the offender's past history involving violence. Supervised probation includes monthly meetings, engagement with a specific case plan and random drug and alcohol testing. The offender is also required to follow all the terms of probation (i.e. respect and obey all laws, no drug or alcohol, pay any court fines, seek and maintain employment, and pay for the cost of supervision).

The DV Court has two dedicated probation officers with specialized training in many arenas that include, (but are not limited to) domestic violence, substance abuse, mental health and cognitive self-change. The probation officers are familiar with the DV Court's structure and procedures. They provide crucial information necessary for effective judicial monitoring, and a quick response to court order violations. At the inception of the probationary term the DV Court Treatment Team, which includes the probation officers, the DV Court Coordinator, and the victim witness coordinators, meet to construct comprehensive and individualized case plans for offenders. The plan is intended to maintain long-term benefits for offenders in areas of violence, substance abuse and other maladaptive behaviors. The DV Court Coordinator is a master's level mental health professional. Thus, concerns about mental illness can also be addressed in the case plan. The probation officer is present at all judicial review hearings. This provides the team with the opportunity to discuss the progress made and concerns posed by the offender. It also allows for a periodic case plan adjustment as needed. The probation officer's presence at judicial reviews hearings enhances quick response to both positive and negative behavior by an offender and can assist the court in developing appropriate requirements for each offender. Additionally, the probation officer hopefully becomes a trusted ally for victims who may be reluctant to engage the court directly if safety concerns emerge. The probation officer can bring concerns before appropriate members of the team to strategize ways to address issues while maintaining victim confidentiality.

Offenders are required to contact probation within 24 hours after sentencing to schedule their initial intake appointment with their probation officer. During the initial probation meeting the offender is given contact information for treatment providers and is instructed on enrollment procedures in their court-ordered programs, including domestic violence treatment. If co-occurring issues have been identified, the probation officer may wait until the offender's case plan is developed before they require the offender to enroll in treatment. Often, an individual's case plan indicates that substance abuse or mental health treatment is a necessary first step, which allows the offender a chance to stabilize before enrolling into a batterer intervention program.

The probation officer and the DV Court Coordinator engage in monthly meetings with treatment providers to discuss offender progress. This allows an opportunity to address any immediate concerns about the offender and discuss the offender's progress through treatment and the court process. If offenders are non-compliant in treatment, steps can be taken by the DV Court team to enhance victim safety. Likewise, if an offender is reporting positive changes to their treatment provider while engaging in contrary behavior, the treatment provider is made aware of the discrepancy. Treatment providers utilize a specialized progress report for each offender that is forwarded to the probation officers and/or the Court each month. (See Appendix C.)

As a standard term of probation, offenders in DV Court are required to attend an Offender Accountability Group meeting at least once a month conducted by their probation officer. Different groups are organized by the offense that resulted in the conviction. Males and females always attend separate groups. The Offender Accountability Groups allows probation and peer group members the opportunity to hold other offenders accountable for their actions. In addition, these groups provide a positive mentoring opportunity between offenders as treatment progresses, group members can provide each other with resource referrals, advice on how to navigate systems, and positive peer recognition for progress. Probation officers are able to observe the offender's interactions, all of which allows probation the opportunity to gather information not normally available in a one-on-one setting. The offender's case plan, treatment progress reports, positive drug or alcohol tests, accountability, attitude, employment, financial difficulties, mental well being, and family difficulties are all discussed in the group. Appropriate sanctions are imposed if necessary and possible solutions are recommended. Each offender is asked what he or she is learning from programs and probation. In addition to the group format, offenders are required to have individual appointments with the probation officer if needed. This is a useful intervention if an offender is having difficulty in group, is non-compliant, or the probation officer wants to address other issues with the offender that may be inappropriate for a group format.

During an offender's sentencing, ninety days of discretionary jail time is usually granted in the court order for probation to impose as an immediate consequence if an offender is non-compliant with court orders (i.e. orders of protection, evaluation and treatment, paying fines and costs) or with the terms of probation. Examples of behaviors that could result in use of discretionary time include; failure to report for required treatment, reports that the offender is drinking, or violating the no-contact order by texting the victim. The probation officer can send the offender to jail as an immediate consequence of the offender's choices. The use of discretionary jail time addresses the non-compliant behavior as an effective, immediate consequence without the necessity of filing a probation violation, which unfortunately may jeopardize the offender's employment or enrollment

in their treatment program. However, it is important to note that in significant situations of non-compliance, a probation violation will be filed.

Specialized Assessment and Comprehensive Intervention

After sentencing, all offenders are administered the Domestic Violence Inventory (DVI) screening at their initial meeting with the probation office. The DVI assesses a variety of functioning areas, which includes substance abuse, control, violence, and stress management. It also includes a truthfulness scale, which suggests validity of the results. The DV Court Treatment Team meets to determine if a Domestic Battery Risk Assessment is needed prior to the development of an offender's individualized case plan. This decision is based on the results of the DVI screening tool, the probation officer's initial assessment of the offender, the Victim Witness Coordinator's knowledge of the severity and history of offender violence, and the DV Court Coordinators' experience with the victim and offender.

If an offender is selected to go through the Domestic Battery Risk Assessment, the DV Court Coordinator assigns the offender to an assessor and the probation office notifies the offender that they need to schedule the assessment appointment immediately. The assessment is completed within three weeks after the assignment and the final report is provided to the offender's probation officer.

After the assessment, the DV Court Treatment Team reviews the findings of the assessment and develops the offender's individualized and comprehensive case plan. The DV Court Judge does not participate in the DV Court Treatment Team meetings or in the creation of the offenders' case plans. Case plans detail the offender's post-sentencing requirements which include meeting the terms and conditions of probation. Comprehensive case plans often address other co-occurring issues that may be present for the offender such as substance abuse issues, mental health concerns, parenting education needs, individual counseling, employment, housing, transportation, and other barriers to self-sufficiency and behavior modification. Case planning may incorporate a variety of information including information gathered from the offender at the probation intake meeting, the offender's sentencing requirements, information from the victim (if available), and information from the Domestic Battery Risk Assessment to address further needs and level of risk. If the level of risk for re-offense is higher than originally believed, a plan to increase the victim's level of safety is also developed at that time.

After the development of the offender's case plan, the probation officer works with the offender to develop an implementation strategy by providing referral information and other needed resources. The offender's case plan is reviewed and discussed frequently at probation meetings, the DV Court Treatment Team meeting, meetings with treatment providers, and during review hearings. On-going review of the offender's case plan provides the opportunity to assess the offender's progress, address any needed revisions to meet the offender's needs and address the offender's long-term behavioral modification, as well as to enhance victim safety.

Case Coordination

The DV Court organizes the court docket so that the DV Court Judge who has the domestic violence criminal case can also address the legal issues if a civil custody or divorce case is filed. A one-family, one-judge system ensures consistency in court orders, reduces conflicting or contradictory

requirements placed on a family, and is more cost-effective for both the family and the court. It is critical that the judge who is familiar with the unique dynamics posed in domestic violence cases also decides matters that involve victim and children's safety when custody cases arise with the same offender in DV Court. Otherwise, visitation and custody terms can become a tool of coercion and control resulting in unsafe agreements in civil cases. At times, the DV Court Judge will also hear civil protection order cases or a civil child abuse and neglect case that involves the same family. Companion civil cases are identified by the DV Court Coordinator who performs a weekly ISTARs (statewide database for civil and criminal cases) search and refers the case to the clerk for re-assignment to the DV Court Judge.

Collaboration Among Key Stakeholders

Collaboration between prosecutors, public defenders, victim witness coordinators, Family Court Services, victim service agencies, treatment providers, probation, and other relevant stakeholders who represent or have on-going relationships with victims and offenders is critical to ensure the successful and effective operation of domestic violence courts. On-going collaboration requires an intensive effort and active participation from all stakeholders to ensure effective DV Court operation.

The DV Court formed the Domestic Violence Court Implementation and Oversight Team, which consists of the two presiding DV Court judges and the other individuals who are assigned to and/or work closely with DV Court. Members of this team include a representative from the following agencies: the Ada County Prosecuting Attorney's Office, Ada County's Public Defender's office, a member of the private defense bar, victim witness coordinators, Misdemeanor Probation Services, Family Court Services, and the DV Court Coordinator. The goal of the Implementation and Oversight Team is to develop and evaluate the functioning of the DV Court. The team discusses policy, procedures, challenges, recommendations for system improvement and recent successes at team meetings.

Ongoing Evaluation and Assessment of the Domestic Violence Court

Evaluation and assessment of the DV Court is critical for effective operation and the realization of program goals. In addition to cooperating in statewide data collection so that reports can be created for the Administrative Office of the Courts, the Governor and Legislature, the DV Court collects information for self-evaluation, which is gathered by the DV Court Coordinator and Misdemeanor Probation Services. Offenders complete an exit questionnaire after they have completed their probation. The goal of the exit surveys is to gather information to assess offender satisfaction with the DV Court process and suggestions for improvement of the program are sought. Other statistical information regarding the operation of the DV Court, as well as anecdotal stories from offenders and victims are shared with the team to address any barriers or challenges in the DV Court operation.

The Domestic Violence Court Coordinator

A major adjustment to the DV Court model occurred in 2008, when a DV Court Coordinator was hired. The DV Court Coordinator is a master's level mental health professional that works closely with the judges, victim witness coordinators, Family Court Services, probation officers, treatment providers, victim advocacy agencies, and the community. Some of the duties include:

- Coordination of civil cases involving the same families in DV Court and monitoring their status.
- Serves as the liaison to victim witness coordinators when a custody case is filed. Victim witness coordinators may not be aware when a custody case is pending. The victim witness coordinator's job is to assist victims through the criminal process. They are a part of the prosecuting attorney's office. Thus, they do not have involvement in custody cases. The DV Court Coordinator accompanies the victim to custody and divorce hearings. Should something transpire that may put a victim at risk or the DV Court Coordinator feels there is a need for victim witness coordinators to reach out to the victim they are contacted.
- Assists in the development of any needed documents for the DV Court operation.
- Coordinates assistance, resources and referrals to comprehensively address the needs of victims, children and family members.
- Assists in monitoring the offender's treatment progress.
- Facilitates screenings and the flow of information, including progress reports.
- Provides insight regarding mental health issues and assists in the development of case plans for offenders within the DV Court Treatment Team.
- Provides information on the resources and services available in the community as well as recruiting community resources for DV Court victims and offenders.
- Links victims, offenders, children and family members with services that comprehensively address their unique needs.
- Develops community and specialized educational classes.
- Support multi-disciplinary case planning, and enhances cross-system efforts by coordinating and facilitating the DV Court Implementation and Oversight Team.
- Gathers statistical data for process, impact, and self-evaluation.
- Engages in ongoing dialogs with the community treatment providers regarding report expectations. Over time, a list of preferred providers has developed.

Standardized Treatment Progress Reports

Members of the DV Court team spoke to the value of having timely, high quality assessments, which are used to shape their treatment decisions, as well as the value of receiving standardized progress reports from treatment providers. Thus, one of the first projects taken on by the DV Court Coordinator was to standardize treatment progress reports that come into the court. Prior to this standardization, different treatment providers used different forms and there were vast differences in Likert scale interpretation between different treatment providers. The DV Court Coordinator worked with treatment providers to standardize their forms and to ensure consistent reporting among all treatment providers. The report outlines the standardized format, content, and quality of these reports. Copies of the reports are made available to probation, which provides the report to the court when the offender is on supervised probation.

Chapter Four

Research Design and Methodology

Evaluation Design

The study examines cases which were served by either the DV Court or traditional court for one year between April 1, 2008 and March 31, 2009. The April 1, 2008 and March 31, 2009 timeframe was selected because it coincided with the hiring of the DV Court Coordinator position and occurred early enough to support a 12-month study follow-up period for a portion of the offenders.

This evaluation used a combination of qualitative and quantitative evaluation approaches and a retrospective, quasi-experimental research design. This multi-faceted effort included the use of key stakeholder interviews/focus groups, offender and victim interviews, surveys, file review, and administrative data.

There were a total of 134 DV Court offenders seen during that one-year period. An equal number of traditional court offenders were randomly selected for the study from a pool of 536 seen during the same time period. In addition, a sub-group of 20 offenders assigned to supervised probation were randomly selected from both the DV Court and the traditional court for more detailed analyses of select demographic, treatment, and compliance variables.² Only offenders with supervised probation were eligible for selection for this more detailed analysis. Generally, most DV Court offenders are initially assigned supervised probation (supervision might be reduced to unsupervised probation upon completion of the individualized case plan), thus comparison with a similar group of traditional court offenders, also assigned to supervised probation, was felt to be most appropriate.

Data Collection Sources and Procedures

The study gathered both quantitative and qualitative information; thus providing a fuller picture of how the DV Court operates and its impact. Approaches used are detailed below.

Administrative Data

Administrative data from existing records were used for analyses related primarily to two of the overarching goals for the evaluation. The first was model implementation and fidelity. In other words, how did the fast track modality approach play out; to what extent were its stated objectives met. For example: Are offenders seen before the judge sooner when compared to those before the traditional court? Were offenders served by the DV Court more likely to be assessed for service needs and referred? Does increased court monitoring occur? The second area was offender accountability. Specifically, were DV Court offenders more likely to comply with court ordered services? To what extent are there swift and certain consequences to noncompliance? Limited administrative data were available related to the third major focus of the evaluation, victim safety. However, an examination of programming practices and qualitative information does provide important insights.

² One of the randomly selected DV Court participants was found to be ineligible for study enrollment because his/her assignment to the court was outside the study timeframe, thus only 19 DV Court cases are in the sub-group.

Quantitative data were obtained from the ISTAR system, from review of offender case files, and review of actual law enforcement records. The ISTAR system provided age and gender of the offenders and data related to criminal charges, court processes, and timing of key milestones in the life of the case. ISTAR data were available for all DV Court offenders, as well as a randomly selected comparison group of offenders seen in the traditional court. Case file review provided more detailed demographic data, as well as data on level of offender compliance with court required assessments and treatments, offender evaluation, and treatment completion. These data were available for all of the DV Court offenders. They were also pulled for the subgroup of 20 offenders randomly selected from those seen in the traditional court. Data from the review of case files were used for two purposes. First, these data were used to create profiles of all offenders seen in DV Court during the study period. Second, 20 offenders were randomly selected from the DV Court group. This sample and the sample of 20 traditional court offenders were used for comparisons related to offender characteristics and accountability, and patterns of services ordered by the two types of court.

Working with the DV Court team, key data were jointly identified and forms were developed to document information from these sources. The DV Court had staff/student interns transfer the information from the case files to the forms, and each offender/case was assigned a unique ID number. The consultant evaluation team entered the information into Excel databases from which the data were exported into SPSS. SPSS descriptive statistics were used to generate frequency counts and means used to construct offender profiles. SPSS t-tests, Analysis of Variance (ANOVA), Chi Square or Fisher's Exact test, and multiple regression procedures were used in making comparisons between samples.

Qualitative Data

The study focused on gathering information and perspectives from various key stakeholder groups to support a broader understanding of the court. Central to this effort was to determine court and system barriers and facilitators. For example: How did offenders and victims experience their court involvement? What did professionals (those within the court and community treatment providers) report about the process and its implementation on their abilities to perform their responsibilities and serve offenders and victims? Qualitative information was gathered through five methods.

- Structured interviews/focus groups with key professionals actively involved with the DV Court.
- Structured interviews with a sample of offenders and victims served by either the DV Court or traditional court process.
- Written surveys provided to community treatment providers and to the same set of key professionals actively involved with the DV Court process.
- Review and analysis of select probation exit survey completed by DV Court offenders.
- Observation of the court process (total of two days of court hearings; time spent in each court) and observation of a DV Court staffing, which included probation, Victim Witness Coordinators, and the DV Court Coordinator.

Outlined on the next page are the various groups from whom qualitative data were gathered.

Ada County Domestic Violence Court Professionals: Eleven professionals actively engaged in the DV Court process met either individually or in a group setting with the evaluators. Separate group interviews were scheduled with those in the same job classification. The judges were interviewed separately. One hour interviews with professionals were face-to-face. A standardized questionnaire and written survey were used with all court professionals. All identified professionals participated; no one refused. The table below identifies number of participants by category.

Table 1: Court/Legal Professional Interviewed by Position

Professional Position	Judge	Probation Officer	Victim Witness Coordinator	Public Defender	Prosecuting Attorney	DV Court program staff
Number of Participants	2	2	3	1	2	1

Victims: Victims were administered a standardized interview questionnaire. They were interviewed in person, when possible, or by telephone. In-person interviews took place at a location of the victim’s choice, usually their home. The evaluators attempted to gain access to an equal number of victims from the traditional court, ten each. The ten were selected after an in-depth review of 133 case files from traditional court, and 129 case files from DV Court.

In order to ensure the victims’ safety (including those in the traditional court), the names of victims were screened by the victim witness coordinators to ensure a call or participation would not place them in a potentially unsafe situation, then randomly selected and contacted by telephone by the respective victim witness coordinators assigned to that court (Ada County or Boise City) using a script developed by the evaluators. In Ada County, approximately 130 victims were contacted while close to 45 were contacted by Boise City. The victim witness coordinators invited the victim to participate and requested that they contact the evaluator by phone or email to set up an interview. Interviews were scheduled based on the victim’s availability. Those who participated in the evaluation were given or sent a \$25 gift card to acknowledge them for their time and participation. It appeared that victims were honest and open about their experiences. They were told that they could opt out of any question or out of the interview at any time; none chose to do so.

Normal interviewing follow-up practices were not used due to concern that the victim may be placed in a potentially unsafe situation if the offender discovered that the victim was supplying information for this evaluation. Thus, follow-up calls to victims who did not contact the evaluators did not occur.

Ten victims from the DV Court agreed to participate. Only one victim from the traditional court participated. It is not uncommon to have limited response rates in domestic violence cases and it is possible that the higher response rate from DV Court victims could be attributed to their relationship with the court. However, it is a potential limitation to the current study to the extent that these victims’ responses might be atypical of the thoughts of most victims given the small sample size.

Offenders: A total of 182 offenders (88 from DV Court and 94 from the traditional court) were randomly selected from the whole population to receive letters inviting them to participate in the

evaluation. Fifty-four of the 182 letters were returned due to incorrect addresses. The goal was to interview five offenders from each of the two courts. Offenders were interviewed in person at a neutral location such as a library, when possible, or by telephone. There were eleven interviews in total, five from the traditional court and six from the DV Court. The evaluators were provided the names and contact information for offenders. Offenders were contacted by mail and asked to call or email the evaluator if they would like to be part of the evaluation. Interviews were scheduled based on the offender’s availability.

Those who participated in the evaluation were given or sent a \$25 gift card to acknowledge them for their time and participation. Overall, offenders were forthcoming and cooperative. Although they were told that they could opt out of any question or out of the interview at any time, none chose to do so.

Table 2: Number of Offender and Victim Interviews Conducted by Court Assignment

Interview Type	DV Court Program	Tradition Court	Total
Offender	6	5	11
Victim	10	1	11

Community Treatment Providers: Community treatment providers were emailed a variation on the same questions asked of key court professionals in the standardized questionnaire and written survey. The questionnaire was sent twice to the directors of two private treatment agencies who forward it to their staff. Six staff members responded.

Supervised Probation Exit Survey: The evaluation team received copies of 52 completed de-identified probation exit surveys completed by DV Court offenders upon completion of supervised probation. Five questions were selected for analysis. These questions were ones that the evaluation team believed would provide valuable information about an offender’s experience with the DV Court process. Due to time and funding limitations it was decided that this approach would be used instead of the study engaging in its own follow-up survey.

The initial study design also included surveying victims. This approach was not undertaken, primarily due to concerns regarding victim safety. A lack of current information on some victims regarding their situation might have placed them in an undesirable position should a survey arrive at their home.

Limitations of the Current Study

The current evaluation was undertaken retrospectively and relied heavily on existing data sources. Much of the needed information was in case files which were both resource and labor intensive to collect. Therefore, the number of files that could reasonably be reviewed was limited, resulting in limited sample sizes for some comparisons. Resources, as well as concerns for the safety of victims placed limitations on sample sizes for victim and offender interviews.

Chapter Five Population Served

Geographic Area

As described earlier, the DV Court serves only those residing in Ada County, but not within the city limits of Boise, Meridian or Garden City. These three municipalities have their own court system. Cases that were charged in these three cities were selected as the traditional court used in this study to compare with the Ada County DV Court for this evaluation.

Ada County is by far Idaho’s largest county in population, containing almost one quarter of the state's residents. Boise is the capital and most populous city in Ada County. According to the 2000 Census, Ada County had a population just over 300,000 (2008 estimate: 380,920). Cities in the county with over 10,000 residents include Meridian (66,916 as of 2008), Eagle (13,645 as of 2007), and Garden City (11,713 as of 2008). Other cities included in Ada County with less than 10,000 include Kuna and Star. Meanwhile, Boise, Meridian, and Garden City had a population of 185,787 (2008 estimate: 205,314) people.

Table 3: Geographical Data

Descriptive Factors	Ada County	Boise City
Land area	1,060 square miles	64 square miles
Overall population	300,904 (2008 estimate: 380,920)	185,787 (2008 estimate: 205,314)
Average number of occupants per household	2.59 people	2.44 people
Median income per household	\$46,140	\$42,432
Median income per family	\$54,416	\$52,014
Median income for males	\$37,867	\$36,893
Median income for females	\$26,453	\$26,173
Per Capita income	\$22,519	\$22,696
Overall % of families below the poverty line	5.40%	5.9%
Overall % of population below the poverty line	7.70%	8.4%
Population under 18 below the poverty line	9.20%	9.7%
Population over 65	5.70%	6.0%

Profiles of Offenders Served Through the Courts

This section examines differences between DV Court offenders and those served through the traditional court approach for a select set of demographic and background variables. Comparisons were undertaken for two reasons: 1) to highlight any differences in the offenders served for purposes of feedback to the DV court judges and staff on the implementation of the DV Court design, and 2) to identify and control for relevant differences in future analyses of program processes and outcomes related to offender accountability and victim safety.

Data were available on 129 DV Court offenders and 133 traditional court offenders for three variables: age, gender, and type of criminal charge. Additional data were compared for the subsets

of 20 offenders from each group. These were age, gender, employment status, educational level, number of offenders with children, type of initial charges, types of relationships the offender had with the victim, and behavioral or other issues that offenders faced at intake; specifically, likelihood of having a mental health diagnosis, having a substance abuse issue, being on psychotropic medication, or having a transportation problem.

This section also provides a profile of the offenders served by the DV Court between April 1, 2008 and March 31, 2009. In addition to age, gender and criminal charges for 129 DV Court offenders, data on education, employment status, income, relationship to the victim, and offender health and behavioral issues, were available for 95 of these 129 offenders.

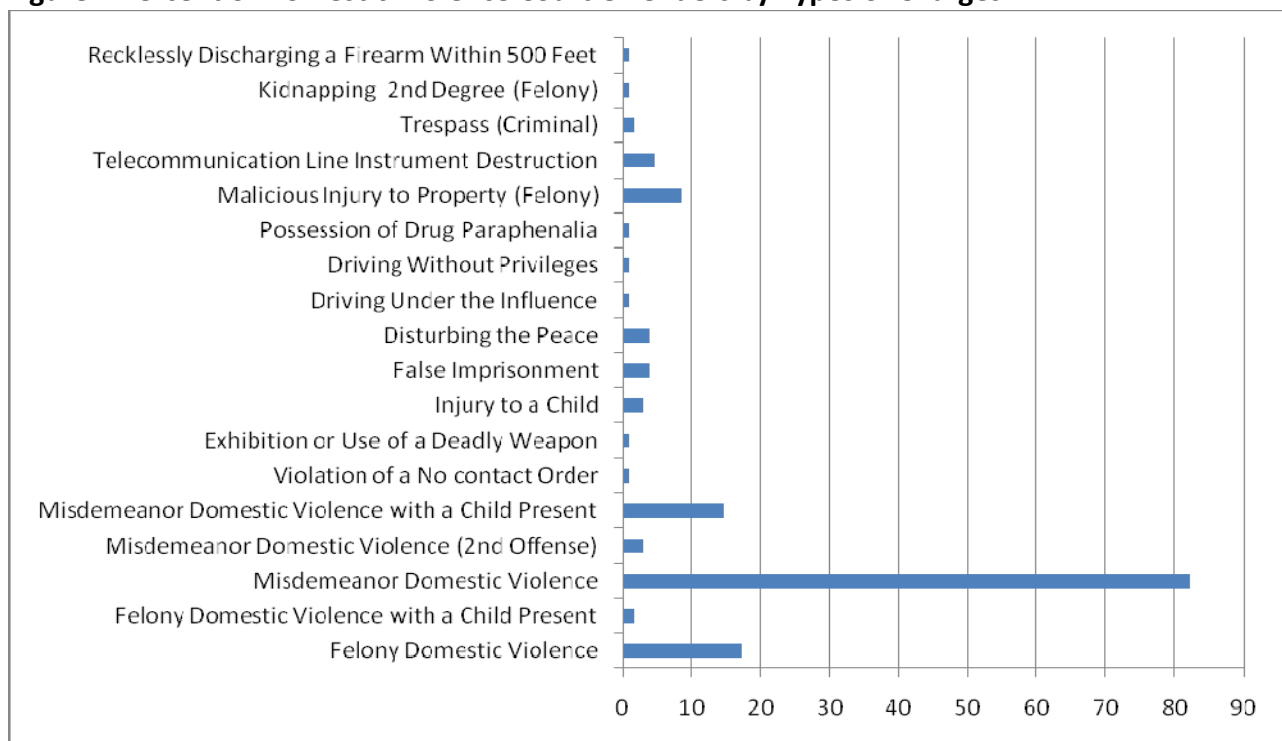
Comparisons of Offenders Served by the Domestic Violence Court and Traditional Court

Age and Gender: At intake, data on age and gender were available for 129 DV Court offenders. Of these the large majority were male 86.8% (n=112). Age at time of arrest ranged from 20.7 to 68.9 with a mean of 36.2.

The traditional court group was significantly more likely to include female offenders ($\chi^2 = 10.778$, $p < .001$). Nearly 70 percent (69.9%) of the traditional court group was male compared to 86.8% of DV Court offenders. Also, the mean age for the traditional court group was 32.8 years compared to a mean age for 36.2 years for the DV Court group. This difference was statistically significant ($t = 2.640$, $df = 259$, $p < .01$).

Criminal Charges: Data on initial criminal charges were available for 129 DV Court offenders. These offenders faced a total of 193 charges, most frequently misdemeanor domestic violence (82.2%). Breakdowns by type of charge for the DV Court offenders are shown in Figure 1.

Figure 1 Percent of Domestic Violence Court Offenders by Types of Charges



As with DV Court offenders, the most frequent charge for the traditional court group was misdemeanor domestic violence (91.7%). However, there were some differences between these groups. DV Court offenders were significantly more likely to have at least one felony charge than the traditional court group ($\chi^2 = 20.130$, $p < .001$). Just over one quarter (26.4%) of the DV Court group had at least one felony charge as compared to 6.0% of the traditional court group. The DV Court group was also significantly more likely ($\chi^2 = 3.917$, $p < .05$) to have at least one charge involving a child (either injury to a child or domestic violence with a child present (16.3% compared to 8.3% of the traditional group). City level prosecuting agencies do not handle felony level domestic violence cases. Therefore, all of the cases which originate as felony domestic violence cases are handled by the Ada County Prosecuting Attorney's office. If a felony level domestic violence case is reduced to a misdemeanor of any kind it is retained under Ada County's jurisdiction and is handled by the DV Court, thus the reason for the number of felony charges.

Smaller Group Comparisons

Additional data were available on 20 offenders from the traditional court, all of whom were on supervised probation. Data for these 20 offenders were compared to a sample of 19³ randomly selected DV Court offenders.

In contrast to findings for the larger group, no statistically significant differences were found for these two groups in age or gender, perhaps due to the smaller numbers randomly selected for each group. These groups also did not differ significantly in types of relationships to victims or to others, employment status or educational level, or the number of offenders with children.

Similarly, there were no statistically significant differences between groups at intake in behavioral or other issues that they faced; specifically, likelihood of having a mental health diagnosis, having a substance abuse issue, being on psychotropic medication, or having a transportation problem.

However, results of comparisons of charges faced were somewhat different. As in the larger sample, the most frequent offense was Misdemeanor Domestic Violence (42.1% for the DV Court group and 66.7% for the traditional court group). The DV Court group was significantly more likely to be charged with felony offenses than the traditional court group ($t = 2.551$, $d.f. = 37$, $p < .05$). It is important to note that all of the charges that began as felonies were reduced to misdemeanor disposition before involvement with the DV Court. Unlike with the larger group, there were no statistically significant differences in offenses involving a child.

Demographic Profiles for All Ada County Domestic Violence Court Offenders

This study provided the opportunity to examine more closely select demographic information for DV Court offenders seen during the study timeframe. Previous research has found that having a stake in conformity, defined by such things as being in a relationship or being employed; older age at the time of the incident, less serious current arrest charges, and less extensive criminal history, are associated with a reduced likelihood of subsequent criminal behavior (LaBriola, Remple and

³ Twenty offenders were originally selected; however, one was dropped from the sample because his involvement fell outside of the study's timeframe.

Davis, 2005). Thus, access to this type of information may prove to be useful for future programming purposes.

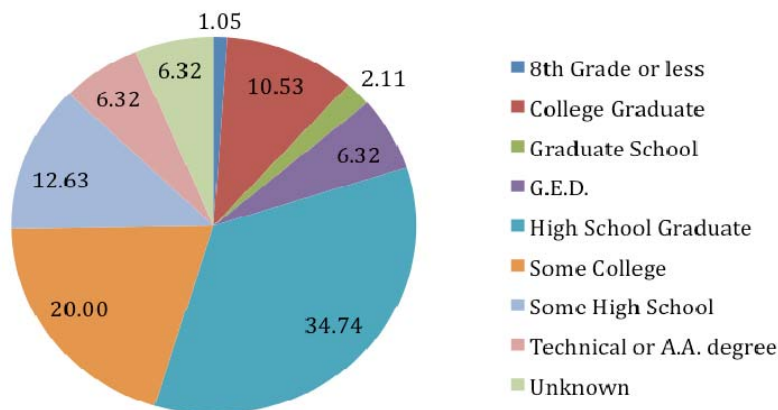
Profiles of the DV Court offenders in relation to these and other demographic variables at **intake** are presented below. Data on offender age and gender were available for all 129 DV Court offenders. Additional data were available on 95 DV Court participants who were assigned to supervised probation.

Offender Age and Gender: As described earlier, at intake, data on age and gender were available for 129 offenders in DV Court. Of these the large majority were male 86.8% (n=112). Age at time of arrest ranged from 20.7 years to 68.9 years with a mean of 36.2 years.

Marital Status and Relationship to the Victim: A majority of the DV Court offenders were married to their victims (38.9%). Another 21.1% were dating and 7.4% were living together. Almost nineteen percent (18.9%) were separated, 3.2% were divorced and another 4.2% had filed for divorce. Just over three percent (3.2%) were single and the relationship was unknown for 3.2%. Four (4.3%) offenders also had relationships with someone other than the victim at intake; three were reported to be dating and one was described as being single.

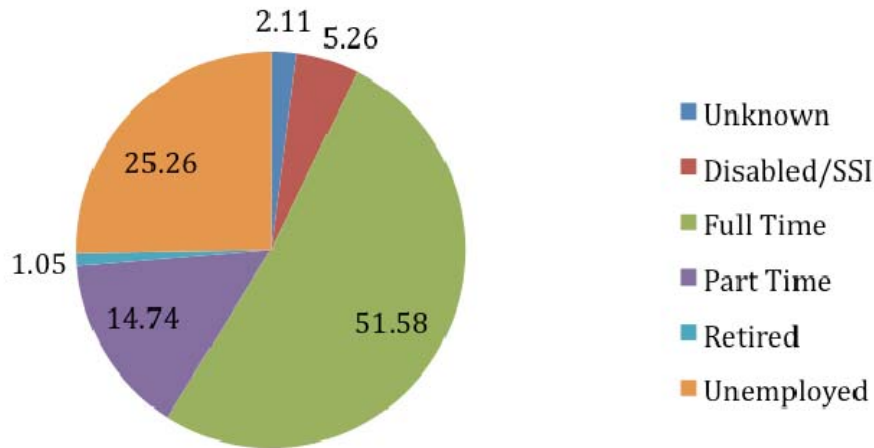
Educational Level: Offenders' educational levels at intake ranged from less than eighth grade to completion of graduate school. Percentages at each level are shown in Figure 2 below.

Figure 2 Educational Level at Intake



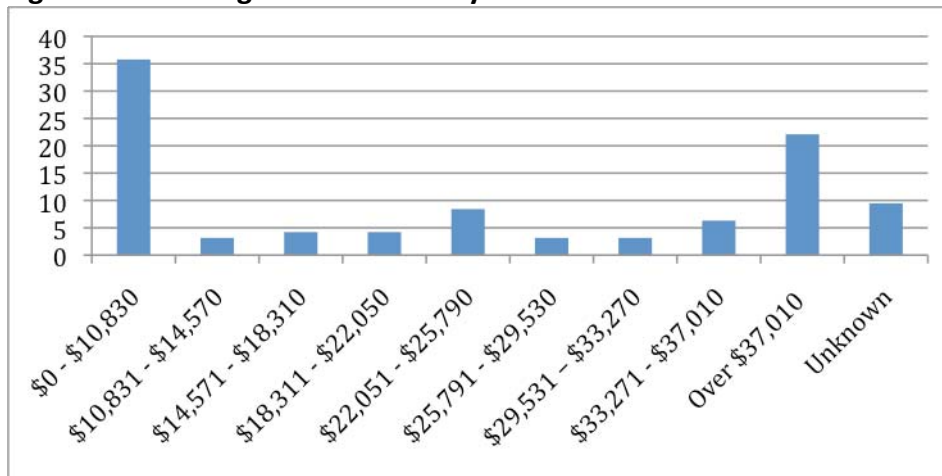
Employment Status: Forty nine offenders (51.6%) were employed full time at intake. Percentage of offenders in each employment category is shown in Figure 3.

Figure 3 Employment Status at Intake



Gross Income: As shown in Figure 4 the highest percentages of offenders fell most frequently into the lowest gross income categories at intake (0 to \$10,830 and highest over \$37, 010).

Figure 4 Percentage of Offenders by Gross Income Level



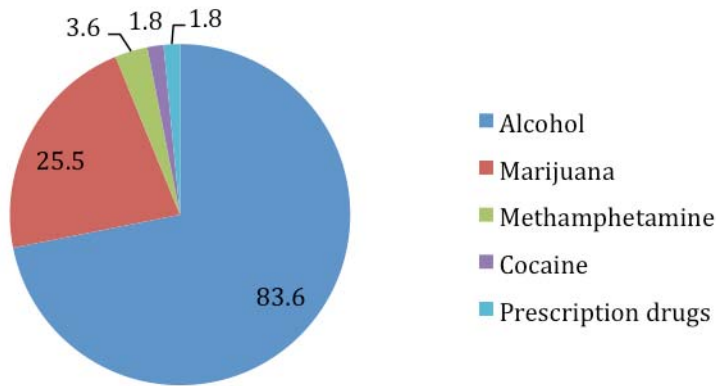
Just over one quarter (25.3%) had reliable transportation at intake.

Mental Health and Substance Use: DV Court offenders experienced a number of mental health issues. Approximately one quarter (26.3%) had at least one mental health diagnosis at intake. All together this group of 25 people had 37 diagnoses. Depression was identified most frequently (14 times). Attention-deficit/hyperactivity disorder was identified six times and Bipolar Disorder was identified four times. Personality Disorder, Post-traumatic Stress Disorder, Sleep Disorder, Asperger’s Syndrome, and Schizophrenia were each identified once. Nearly a fifth of the offenders (19.8%) were also on some type of psychotropic medication.

Substance abuse issues were identified at intake for 57.9% (n=55) of DV Court offenders. A majority of these 55 offenders (83.6%) were identified as having an issue with only a single substance. Nine offenders (16.4% of those with substance abuse issues) were identified as abusing two substances. None were identified as abusing more than two substances.

Percentages of specific drug and alcohol abuse issues are shown in Figure 5. Percentages shown are the percentage of total issues identified that are associated with a particular substance⁴.

Figure 5 Types of Substance Abuse Issues



⁴ Since more than one issue was identified for some of the offenders, this percentage is not the same as the percentage of individuals with that issue.

Chapter Six

Implementation of the Ada County Domestic Violence Court Model

Major goals of the DV Court approach are to move offenders through the court and into treatment more quickly; to provide more options for offender monitoring and accountability through the use of discretionary jail time, increased judicial monitoring and intense supervised probation, enhanced collaboration between those working within the system and other stakeholders who are involved in assuring offender accountability and victim safety, and; comprehensive civil and criminal case coordination through the DV Court's "One Judge – One Family" model. The DV Court Coordinator was tasked to specifically support access to timely and effective assessment and treatment, support the ability of the court to monitor and hold the offender accountable, review of other court action involving the offender/victim in order to have them before the same judge, and enhance collaboration.

This section addresses how well the DV Court implemented key model elements and to what extent its practices differ significantly from those of the traditional court approach. The evaluation approach used was to compare the court experiences of the DV Court and traditional court offenders in relation to important court processes and timeframes for key legal events. Areas included in the quantitative analysis were: court disposition regarding domestic violence charge, timeframes between various major court activities, level of judicial review, use of probation, use of discretionary jail time, a one judge-one family approach to handling domestic violence charges and any divorce or custody proceeding, and offender service referral and compliance including domestic violence, substance abuse, and mental health evaluations and treatments. Summaries of feedback from court professionals, community treatment providers, offenders and victims are also provided with a sampling of quotes from interviews, focus groups, and survey narratives.

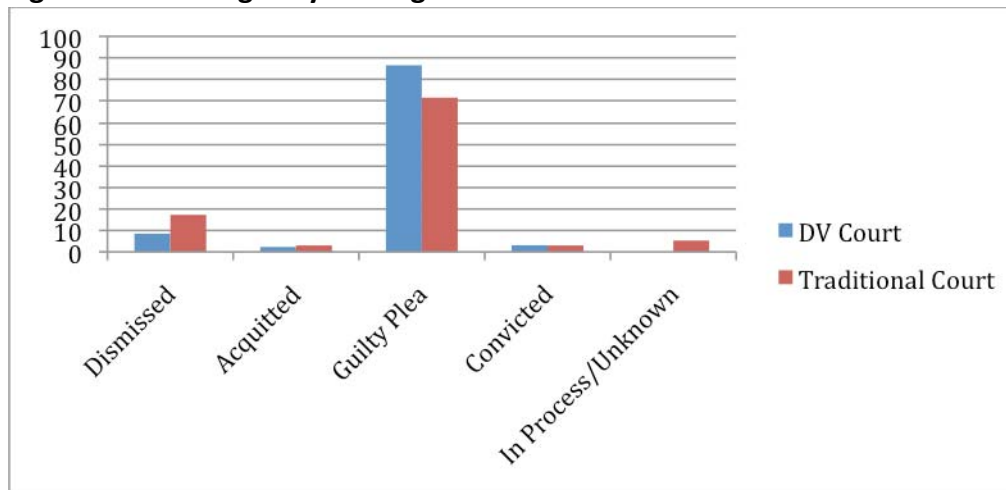
Fast Track Court Process

Variables examined related to the fast tracking of offenders through the DV Court included the extent to which cases were dismissed as well as those disposed through a guilty plea versus the more time consuming process of proceeding to trial, as well as time taken from arrest to various key points within the life of the case, such as time from arrest to sentencing. As shown below, results supported the DV Court's effectiveness in decreasing the number of cases dismissed, increasing the number of cases disposed by a guilty plea, and decreasing the time taken for a case to move through the court process.

Court Disposition Analysis

Findings for the 129 offenders seen in DV Court as well as the 133 offenders seen in traditional court are shown in Figure 6 on the next page.

Figure 6 Percentages by Finding for Domestic Violence Court and Traditional Court



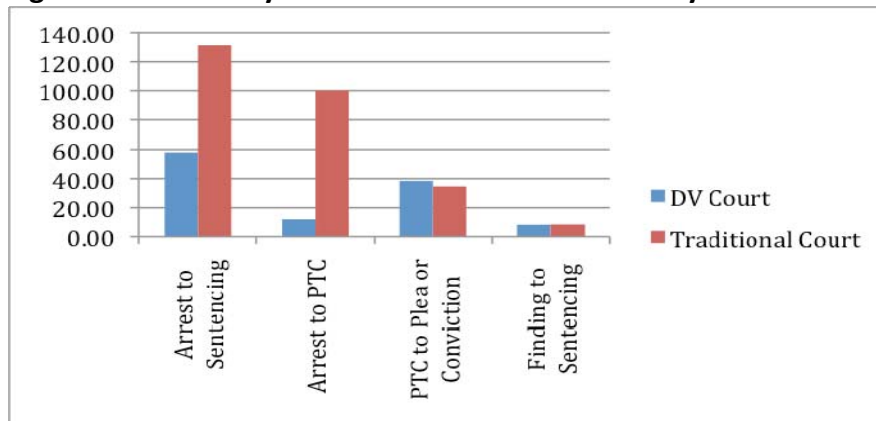
As shown in the graph there were differences between the two courts in percentage of cases where the offender pled guilty. Fewer cases in DV Court were dismissed; 8.5% of cases were dismissed as compared to 17.4% in the traditional court. This difference was statistically significant ($\chi^2 = 4.558, p < .05$). A little over eighty six percent (86.5%) of the DV Court pled guilty compared to 72.0% of the traditional court group. This difference was statistically significant ($\chi = 28.233, p < .01$). Finally, there were also differences with respect to percentage of cases without a finding recorded. Cases without a disposition were all traditional court cases.

Timeframes

Differences between the two courts with respect to the timeframes between arrest and other key points within the life of the case also supported the effectiveness of the fast track element of the DV Court.

As shown in Figure 7 on the next page, the time between arrest and sentencing was significantly shorter for the 129 cases heard in the DV Court ($t = 7.874, df = 212, p < .001$). Time from arrest to sentencing for the DV Court group ranged from 5 to 394 days with an average of 58.1 days, compared to a range from 13 to 403 days and an average of 131.4 days for the traditional court group. This difference occurred primarily as the result of significantly shorter times from arrest to the first pretrial conference in the DV Court ($t = 22.508, df = 234, p < .001$). Average time from arrest to the pretrial conference in the DV Court was 12 days. Average time to the pretrial conference for the traditional court group was 100 days.

Figure 7 Time to Key Points in the Life of the Case by Court



Within the smaller groups of 20 traditional court and 19 DV Court cases, data also were available on the number of days from arrest to the beginning of domestic violence treatment for offenders who were ordered to attend treatment. The date of initial treatment was available for 17 of the 19 offenders ordered to attend treatment in the DV Court group, and eight of the 10 ordered to attend treatment in the traditional court group. The average number of days from arrest to beginning treatment was 126.0 (ranging from 22 to 434) for the DV Court group and 259.4 (ranging from 56 to 556) for the traditional court group. This difference was statistically significant ($t=2.381$, $df=23$, $p<.05$).

These findings support the ability of the DV Court to get offenders into treatment more quickly, potentially increasing positive behavioral changes for the offenders and increases in victim safety.

Offender Monitoring

Differences described below in judicial monitoring, use of probation, and use of discretionary jail time all supported the contention that the DV Court provided significantly more supervision and monitoring of offenders than the traditional court model.

Judicial Contacts

The 129 offenders seen in the DV court had significantly more contact with the judge than the 133 offenders seen in the traditional court ($t=7.140$, $df=251$, $p<.001$). On average offenders seen in the DV Court had 9.67 judicial contacts as compared with 2.98 for offenders seen in the traditional court.

Use of Probation

In most cases DV Court offenders were ordered to supervised probation. Statistical comparisons of the 129 DV Court and 133 traditional court offenders confirmed that supervised probation was ordered significantly more frequently for the DV Court group than for the group seen in traditional court ($\chi^2 =57.759$, $p<.001$). Over eighty percent (81.7%) of offenders seen in the DV Court were given some time on supervised probation compared to 30.3% of the traditional court group.

Offenders in the DV Court group also were given longer periods of time on supervised probation than the traditional court group (an average of 1.96 years versus 1.60 years). This difference was statistically significant ($t=3.656$, $df=122$, $p<.001$). The DV Court group was also given slightly longer

amounts of time on unsupervised probation (an average of 1.38 years compared to 1.24 years). However, this difference was not statistically significant.

Use of Discretionary Jail Time

The ideology behind the use of discretionary jail time (DJT) is that immediate sanctions for misbehavior will re-enforce the importance of follow-through with the court order for the offender. It also allows the court and/or probation to immediately protect the victim, should there be safety concerns. Within the DV Court model, probation officers as well as the court are able to impose DJT. In the traditional court approach, there is not a procedurally consistent method employed in the utilization of discretionary jail time. The judge may allow the probation officer to use their discretion in the implementation of the DJT, the judge may retain the discretion to utilize the jail time or it may be not used at all. Thus, immediate accountability may be lost. Along with the ability to impose immediate accountability measures comes an increased sense of victim safety.

At sentencing within the DV Court, the judge can grant DJT to be used either by the probation officer (PO) or the court if the offender is noncompliant. If there are any concerns from the PO or from the court while the offender is on supervised probation, the offender may receive DJT from a day, to up to 90 days, or whatever the full amount was ordered at sentencing.

The ability to impose DJT as needed was ordered to 75.9% (n=88) of DV Court offenders in contrast to 4.8% (n=4) of offenders sentenced in traditional court. This difference was statistically significant ($\chi^2 = 99.151$, $p < .001$). On average, 88.5 days of discretionary jail time were ordered for DV Court offenders, with the modal number being 90 days. Number of days ordered for traditional court offenders ranged from 20 days to 90 days with a mean of 50 days. Since discretionary jail time is considered an important means of providing swift and sure consequences when an offender is noncompliant, this difference represents a key difference between the DV Court and traditional court models.

One Judge - One Family

As part of the DV Court model, if a civil custody case is filed during the offender's court involvement (e.g., divorce or custody) it is to be handled by the same judge. Twenty-one (22.1%) of the 95 DV Court offenders for whom these data were available experienced a new divorce or custody case or a custody modification case and nine (9.5%) had this civil case handled in DV Court. Within the subgroups used for comparison, only the DV Court group experienced a divorce or custody case (n=5 out of 19), and only this group had the case handled in DV Court (n=3). Since in the traditional court, as a matter of practice, such cases would not intentionally assigned to the same judge analysis was not conducted.

Service Referral

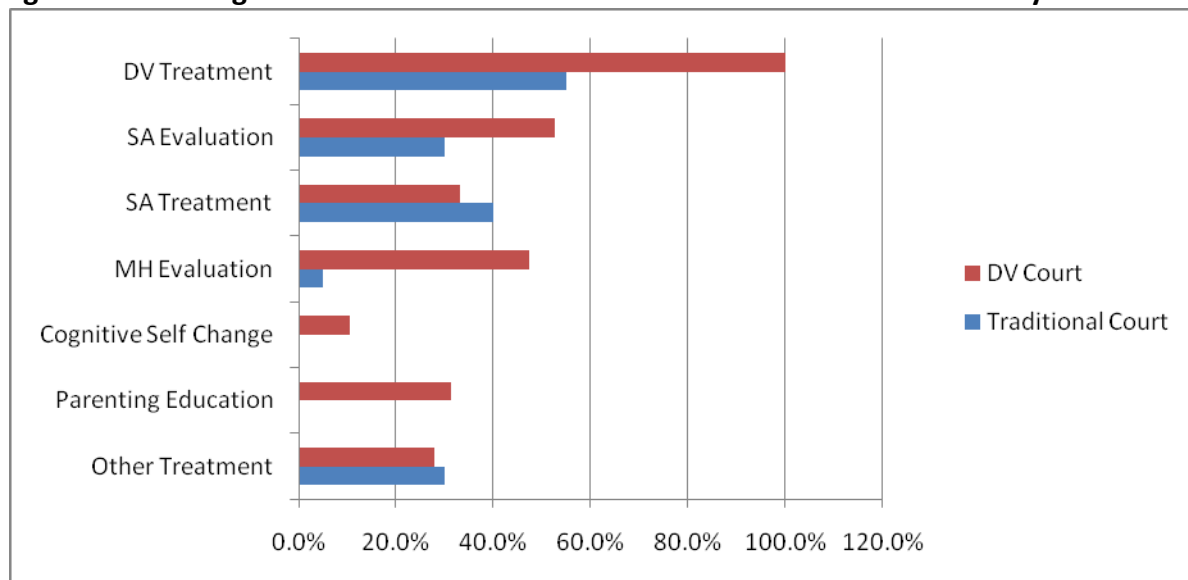
Data on referral to and completion of services were available for a group of 20 traditional court cases where supervised probation had been ordered and a randomly selected group of 19 DV Court offenders, also on supervised probation⁵. Group comparisons showed differences in both number of services ordered and in frequency at which certain services were ordered. On average more services were ordered by the DV Court for that group of offenders than were ordered in the

⁵ Supervised probation was identified as a criterion for inclusion in these groups, since more complete service data were expected to be available for these offenders.

traditional court model (2.95 compared to 1.6). This difference was statistically significant ($t=3.683$, $d.f. = 37$, $p<.001$).

Specific types of services ordered for each group are shown in Figure 8 below. As shown in Figure 8, offenders in the DV Court were more likely to have domestic violence treatment, substance abuse evaluation, mental health evaluation, cognitive self change programs and parenting programs ordered than offenders in the traditional court. Differences were statistically significant for domestic violence treatment and mental health evaluation ($p=.001$, Fisher’s Exact Test and $p=.003$, Fisher’s Exact Test, respectively). Substance abuse treatment and “other” treatment were ordered about equally for each group. Of “other services” ordered, counseling was the most frequent ($n=6$).

Figure 8 Percentage of Domestic Violence Court and Traditional Court Cases by Service Ordered



Stakeholder Perspectives on Model Implementation

The qualitative information presented was gathered from various stakeholder groups (i.e., key court professionals and community treatment providers) through individual and small group interviews, written surveys and observation. It is also gleaned from interviews with a randomly selected sample of offenders and victims from both the Ada County DV Court and the traditional court. Information from these sources has been interwoven when appropriate to provide a holistic perspective on the value of the model as a whole as well as specifics of the model implementation.

Benefits of the Model

Professional court representatives (i.e., two judges, one public defender, two prosecuting attorneys, two probation officers, three victim witness coordinators, and the one DV Court program staff) were very supportive of and pleased with the DV Court approach. Professional court representatives and treatment provider groups rated the extent to which specific elements of the DV Court model led to the courts success using a five-point scale – five being “greatly,” 3 being “somewhat,” and 1 being “doesn’t.” All eleven professional court representatives responded to the survey. Six treatment providers responded to the survey: four were domestic violence specialists, one was a domestic violence and addiction specialist, and one was a domestic violence client coordinator.

The most highly rated element by court professionals was the “existence of the court review process” (4.85) followed by “monitoring of court ordered services” (4.65). Twelve of the fifteen elements had an overall average rating of four or higher and none were below 3.73 (the DV Court Coordinator position), thus all elements are valued. A few noted that they specifically value the DV Court Coordinator and know that the coordinator is very engaged in behind the scene activities. However, they do not work closely with the DV Court Coordinator, thus affecting their ability to rate as highly as they might otherwise. Table 4 presents professionals’ survey ratings. Ratings are presented in descending order.

Table 4: Court/Legal Professional Survey Responses

Court/Project Elements	Average Score
Existence of a court review process	4.85
Monitoring of court ordered services	4.64
Increased frequency of court reviews	4.55
Having the same judge at all court appearances	4.45
Increased offenders’ compliance	4.45
Level of coordination among court professionals (e.g., coordinator, victim witness coordinator, probation, public defender, prosecuting attorneys)	4.45
Building a relationship between the victim and court professionals (e.g., coordinator, victim witness coordinator, probation, prosecuting attorneys)	4.37
DV Court Coordinator facilitates the process and review of court ordered risk assessments	4.27
Involvement of victims at review hearing	4.09
Continuity of representation	4.09
Increased amount of contact between attorneys and offenders	4.09
Having the same judge hear criminal and civil cases related to the same parties	4.09
Increased frequency of contact between attorneys and offenders	4.00
Building of relationship between attorneys and offenders	3.82
Having a DV Court Coordinator position	3.73

As shown in Table 5, six community treatment providers surveyed were also supportive. The most highly rated elements were “having the same judge at all court appearances” and “having the same judge hear criminal and civil cases”. These two elements shared an average score of 4.67. These were followed closely by “existence of a court review process” and “increased frequency of court reviews” which shared an average score of 4.5. Seven of the 11 elements had an overall average rating of four or higher and none were below 2.83. This lowest rated item was in regards to the “use of standardized assessment tools and/or processes.” Ratings are presented in descending order.

Table 5: Community Treatment Provider Survey Responses

Court Elements	Average Score
Having the same judge at all court appearances involving the same offender	4.67
Having the same judge hear criminal and civil cases involving the same offender and victim	4.67
Existence of a court review process	4.50
Increased frequency of court reviews	4.50
Having a DV Court Coordinator position	4.40
Having the fast track court process (e.g. reduced number of days between the arrest date and sentencing)	4.33
Monitoring of court ordered services	4.16
Use of standardized progress reports	3.83
Involvement of victims at review hearing	3.80
Facilitation of court-ordered risk assessments by DV Court Coordinator	3.40
Use of standardized assessment tools and/or processes	2.83

The high degree of satisfaction with the DV Court model captured in the survey was born out by interviews with professional stakeholders as shown in following report sections. In addition to select samples of specific comments related to the value of the various key elements of the DV Court model provided within the text of the report; additional quotes are provided in Appendix D.

Fast Track Handling of Cases

All professional stakeholder groups spoke about the ability of the DV Court to reach a swift disposition, therefore allowing for earlier offender accountability, provision of ongoing monitoring, the gathering of more in-depth information about the situation and individuals sooner, getting the offender into comprehensive treatment much earlier, and providing victims and their children appropriate referrals and resources. The reported benefits of this fast track to treatment include the ability to make more informed decisions, increased victim safety and a reduction of unnecessary or inappropriate no-contact orders (which create financial stress for offenders and victims). Victim witness coordinators also spoke to the value of getting offenders into treatment earlier and the ability to hold the offender accountable for their behavior sooner, rather than two to three months later as might happen in the traditional court. The public defender reported the “Biggest asset is the ability to move quickly – being nimble – addressing NCOs and the cases rather quickly. This really helps families – especially those having financial issues with NCOs.” One of the prosecuting attorneys values the ability “to intervene in family violence before it escalated.” One judge’s perspective summarized the value as “The need is for much faster, much swifter disposition of these cases.” As a result, offenders are in treatment sooner and disruption to the family can be addressed earlier.

“The biggest complaint by victims [in the traditional court] is that by the time [the court process] is done they too are done. They don’t want to participate anymore because it took so long before the offender was held accountable and got treatment.”—Victim Witness

Coordination of Offender Case Plans

Court professionals believe that the DV Court results in more coordinated, individualized, comprehensive case plans for offenders and that treatment is more likely to be monitored. Other benefits included standardized offender evaluations, access to quality treatment, and meaningful standardized offender progress reports from treatment providers to the court, which in turn informed decision-making. Access to resources in the community is seen as essential and it is the role of the DV Court Coordinator to ensure that quality resources are available. Treatment providers also generally agreed that the DV Court process has resulted in more coordinated and enhanced offender case plans.

“The goals are offender accountability and victim safety. Increased communication and contact provides more opportunity to develop a relationship. This makes victims more inclined to disclose. Increase accountability also makes victims safer. A consistent probation officer promotes accountability and swift responses for misbehavior.”—
Prosecuting Attorney

Of specific importance to court professionals was the development and use of a standardized treatment progress report completed by community providers each month and given to the court. This allows the judge and others to monitor an offender’s progress thereby having enhanced ability to create dynamic treatment plans based on an offender’s behavioral changes. Ongoing access to such reports supports the ability of the court to compare progress over time thereby greatly enhancing its decision-making power. Since all parties learn about the offender’s progress during the review hearing, this information allows them to respond as needed (e.g., probation officers increasing drug tests, victim witness coordinator addressing concerns with the victim).

“In a real sense the court is more problem solving and holistic than a normal court – everyone is able to maintain their function, but there is greater and richer communication which results in cases being resolved more quickly with a better resolution as a result of that.”—DV Court Judge

Strengthened Inter-Agency Relationships and Communication

Central to the functioning of the DV Court model and the occurrence of positive outcomes is the willingness of all the professionals to engage in ongoing dialog, while maintaining their job function, and making use of the DV Court Coordinator. An additional benefit of a specialized court, like this one, is the ongoing assignment of the same professionals. With time and experience, trust and respect has developed among these individuals as well as

the development of the individual’s professional knowledge and skills in working with this population. As a result one judge talked about there being “greater and richer communication which results in cases being resolved more quickly with a better resolution.” The prosecuting attorney highlighted the sense that there is an interest in the needs of the offender to access services and resources such as mental health treatment or housing, and the support among the court professionals for these issues to be addressed. The attorney noted such acts of caring would not likely occur in the traditional court approach. At the same time, the victim witness coordinator addressed that, although there is more open communication and relaxed roles in the DV Court, they work each day to maintain a balance, as this is a criminal court; always mindful of confidentiality for victims and accountability for offenders.

In addition, one of the DV Court Judges shared that “One of the unsung heroes in the Ada County Domestic Violence Court is the Ada County Sheriff’s Office. A lot of what we do at every level would not happen without their collaboration. Their spirit of digging and helping accomplish the goals of this court is part of why the Court works so well. These men and woman [the ACSO] fly into action like avenging angels...victim safety and accountability are greatly enhanced when the ever protective arm of the Law moves with such rapidity.”

“There is a lot of coordination and information regarding the services that can be provided to families related to victim safety. Losing [the DV Court Coordinator’s] expertise in the areas of evaluations and screenings and mental health case planning would be a great detriment because we would not be able to provide a lot of the services we provide.”—DV Court Judge

Court professionals were also asked to rate the level of inter-agency communication and coordination between them and treatment providers, these ratings were more mixed. On a scale from 1 to 10, with 10 being completely, the extent to which the DV Court model has increased the level of understanding between the court and treatment providers; the average score was 5.92. Scores from treatment providers appear somewhat lower primarily because some would appreciate a bit more reciprocal relationship; for example the Court implementing the changes treatment

providers suggest and contacting them for additional insights and feedback. Based on survey responses, having ongoing dialog with the court, and not just the DV Court Coordinator, is another approach, which would increase providers’ sense of engagement with and being valued by the court. Such adjustment would reduce what they feel sets up a “reactive” relationship where they are only contacted when there is an issue with a client. A few treatment providers also raised an interest in having access to offender assessments that the court sometimes conducts on its own. See Appendix D for detailed quotes.

“[In the traditional court] a person goes into treatment, progress reports are coming out and I never see them. But [in this court] we have met with the providers and I’ve learned what these scores mean and I am getting [written] comments. So I can hold [offender’s] feet to the fire or reinforce what the treatment provider is doing”—DV Court Judge

The following comments were made by treatment providers in explanation of lower scores:

- “It would be beneficial if the court would solicit feedback. We are asked to change/modify program but court does not change or modify.”
- “I only receive emails from the case coordinator [DV Court Coordinator] when clients encounter issues. It’s reactive, not proactive.”
- “More feedback, access to court assessment. Court mandated hours, treatment plan arranged by treatment facility, reviewed by PO and court.”

One treatment provider commented favorably on the relationship:

- “I am very pleased with feedback from DV Court re: providers’ positives and negatives. Can’t improve unless we know what’s going on.”

Offender Monitoring and Accountability

Among professionals who participated in this evaluation there appears to be a shared belief that in order for the court to be successful the offender has to be accountable. The underlying reason(s) for his/her behavior must also be addressed (e.g., mental health, substance use). Below are select statements, with additional quotes in Appendix D. For example, a probation officer shared, “The offenders have the same amount of time with their PO. [In the tradition court] no review hearings or teamwork. Yes, it takes more time in a specialized court, but the outcome pays for it. I mean yeah, the review hearings take out two days per week ... but being in court more is really the ticket to the overall success of the offender.” Meanwhile, a prosecuting attorney added, “Value for offenders is that it is about accountability, treatment. I have discretion to look at it on a case-by-case basis and tailor to the individual case. For victims, they work with victim witness coordinators to keep them safe, and the Court will always hear from them. I work with the victim witness coordinators on every case.”

“Absolutely there was a benefit. The parole officer was there at every review hearing – the constant monthly review hearings were very positive as far as keeping the accountability there.”—
DV Court Victim

When asked to describe potential benefits of the judicial monitoring and review hearing, with a few exceptions, those victims who chose to participate in the review process found that keeping them informed about the offender’s progress in treatment, holding the offender accountable and giving the victim the opportunity to participate were beneficial. They appreciated the fact that the offenders had to follow-through with treatment and other court ordered requirements and were not able to manipulate the situation as they might have in the past. A few victims noted that offenders had not followed-through on court orders in the traditional court, this time the offender knew their behaviors were being watched more closely. One victim added an interest in having a class for victims to help them better understand the decisions they made along the way so that they would be less likely to pick unsafe partners and relationships in the future. Additional victims’ statements are located in Appendix D.

Some offenders selected to address accountability when interviewed. For example, one highlighted understanding the reason for the judge and probation officer being aware and how being monitoring was beneficial to him. Two offenders saw the value of holding review hearings, however, felt they would have been better less often; one added these occur because they want to collect fees. Their detailed statements are found in Appendix D.

“[The DV Coordinator] has been great. I had questions about filing different documents with the court and what the processes are. Every time I call, she calls right back. I feel like I am bothering her, but she never makes me feel that way.”—DV Victim

The Domestic Violence Court Coordinator

The DV Court Coordinator position is difficult to evaluate for several reasons. Most of the work performed by the person in this role is largely behind the scenes. For example, the evaluators observed a meeting between the DV Court Coordinator and members of the court about the quality issues in treatment providers’ recent offender progress reports. It was decided that the DV Court Coordinator would work directly with that organization. Thus, this task will largely go unknown.

Similarly, a number of the family members (offenders and victims) did not know who the DV Court Coordinator was since many of the position's functions include resource provision to the victim witness coordinator to provide to the victim to minimize the possibility of resource overlap and confusion for the victim. Further, many of the discussions between the DV Court Coordinator and the family happen over the telephone, therefore reducing the victim's likelihood of remembering the specific details of the DV Court Coordinator.

Despite much of the work being performed behind the scenes, the DV Court Coordinator role was seen as very valuable by those individuals familiar with it, more often, court involved professionals. As one judge stated "There are a number of duties that she performs that would not happen if there were not a coordinator in place." This same point of view was shared by the other court professionals. Other specific tasks the DV Court Coordinator performs that are valued include, but are not limited to: knowledge about and access to community programs; helping victims access attorneys when they want to file for divorce or address custody and support issues; conducting domestic violence assessments and supporting mental health case planning; and ensuring the flow of information among court professionals is timely.

"[The DV Court Coordinator] pulls the civil cases and puts those before the judge so that the judge knows. [The DV Court Coordinator] is making copies of NCOs [no-contact orders] so that victims have them. In most courts, victims do not get a copy. She will sit down with them and go over forms."—Victim Witness Coordinator

One of the judges summed up the value of the coordinator as follows, "Fundamentally, the critical piece of having a DV Court Coordinator is that they are neutral. They are there as an arm of the court to simply say the process cares about you and what do you need as you move through this process. Neutrality coupled with amazing knowledge of community resources and how to link families to those resources." Meanwhile a probation officer summarized the value of the Coordinator as follows, "[The DV Court Coordinator] has the primary role of bringing everyone together for meetings/case planning. If we didn't have her to help coordinate the plan with whole team, including the accessing of basic resources, things might not get done as fast as they do. Could we do it without a case coordinator? Yes. Could we do it as well as we are – no." Additional quotes are found in Appendix D.

Five of the ten DV Court victims interviewed worked with the DV Court Coordinator. All of those five victims agreed that the DV Court Coordinator made appropriate referrals for them when those services were available. They also reported that the DV Court Coordinator helped them in other ways such as: Unraveling the negative relationship with the offender; answering questions; serving as a sounding board and providing useful advice. Specific quotes are in Appendix D.

Barriers to Implementation

Court professionals regarded the DV Court model as an approach that protected their ability to perform their job in a manner that supported both the rights and the needs of the offender. However, a few concerns were raised.

From a legal perspective two issues were raised. The prosecuting attorney stated it is always important to remember this is a criminal court and processes and practices must ensure the rights

of the offender are protected. The second was from a victim witness coordinator who spoke about the value of, as well as potential challenges with, having a more relaxed court approach in which parties talk more freely to one another. Victim witness coordinators reported that sometimes they felt that others might not appreciate the balance they feel regarding their position as it applies to protecting the victim. See Appendix D for additional professional quotes.

There was a concern raised regarding the treatment offenders undergo. Central to this concern, raised by a court professional and echoed by a small number of victims and offenders, was in belief regarding the model's lack of provision for flexible responses to what they believe to be situational violence and the possibility that the intervention and intensive treatment ordered in such circumstances might not be warranted.

The court professional raising the concern about the model's lack of flexibility in its response to these situational violence cases offered additional explanation. This professional's belief is connected to philosophic and practice concerns regarding the field's perception of domestic violence; stating it might be stuck in a 30 year old mindset. "I think the danger is that you get a lot of folks that don't fit into the power and control scenarios and some victims feel belittled by that, that they are somehow helpless, blameless when they are not." This person also expressed concern that many believe that all victims should enroll in a "victim empowerment program", which they do not believe is necessary, and stated that "as many as 30% of offenders are female" and questioned whether their male spouses wanted to participate in an empowerment program. "It is not the same societal problems we had 30-40 years ago."

"I don't really see any big hurdles. I think the judges do a good job – if there needs to be a psych evaluation and the offender can't pay the court will pay for it. I think the biggest inhibitor is financial pressures, particularly for those who don't have a job – you are asking for them to pay for probation, classes and evaluations with no money in the bank."—Public Defender

Another potential barrier and shared concern among some of the professionals that was also shared by victims and offenders from both the DV Court and traditional court group was the financial burden of paying for court and probation related expenses as well as for assessments and treatment expenses. One offender shared the following, "The cost of supervised probation – it was \$50 a month, too bad if you can't afford it; the alcohol evaluation was \$10 plus another \$10 an hour for up to 24 hours of treatment. DV [domestic violence treatment] was \$25 per class and I had 52 hours." A victim reported that their family is spending about \$100 per week for all offender related services. Factors making these expenses even more difficult can include paying of a second resident when there are no-contact orders and being laid off work in these hard economic times.

- "It's a huge strain on finances. Trying to pay child support and do classes at same time. I was glad PO [probation officer] allowed me to do one class at a time. It was beneficial for me to learn classes one at a time and [provide funding]."—DV Court Offender
- "For me the most difficult thing has been the duration and the expense of the probation. I was laid off and got an unemployment extension and then another extension. I have not paid any bills for two months – including the mortgage. It has been a huge financial burden. I have brought it up – but there is even a sign there that says you must pay before each appointment. How does that help me or my family?"—DV Court Offender

- “It’s been good for the most part. My biggest problem is that they charge money for the classes (DV classes) and we were strapped when all of this happened. It doesn’t help when he has to spend \$100 a week (classes, probation, drug testing). For a while it was taking food out of my kids’ mouths and bills weren’t getting paid. He missed a couple of classes because he couldn’t pay and he was turned away, then he was arrested, which cost more money. I think the classes are good and help; they should just be less expensive. He hasn’t worked since last June and I was laid off; there is no money.”—DV Court Victim
- “The financial part is really difficult. \$100 a week or more [to pay for court order services] puts a strain – we are living paycheck to paycheck. I know that he needs it and that it is important – but the cost is not effective.”—DV Court Victim
- “It has been a big financial burden, we are really broke. He used to have UA every week, now it’s once a month. Classes are \$35 a week and he has to pay every time he goes to court. We fight about money a lot. We have asked about whether he could do DV counseling through my work where it is a free service, but he can only do it through their approved list.”—DV Court Victim
- “I understand why it was 60-90 days that I couldn’t have contact with my husband. We have farm property and there were things that needed to be done that he couldn’t do. I didn’t know how I was going to get money from his paycheck – and we are a close family and it was hard to tell the kids – it wasn’t like daddy was going to work.”—DV Court Victim
- “They caused a lot of financial hardship and we were offered no support. This has added expense – an ankle bracelet because his [probation officer] misinterpreted the lab report [drug test]. If he had gone to jail on Tuesday he would have lost his job.”—DV Court Victim

A separate concern shared by some victims and offenders was their initial encounter with law enforcement. Some felt that law enforcement tried to or were successful in coercing victims and their children to make statements they believed were not completely truthful or correct. This initial engagement became a source of frustration, and even anger, making it something that the rest of the court process had to overcome. In addition, trust in law enforcement and a willingness to call them again are in question for a few. Unfortunately, this factor became a focus and negatively impacted a few of the offenders’ and victim’s assessments of their court experience, regardless of the court approach.

This area is a sensitive and complex issue that bears some additional documentation. It is well known that there are victims living in relationships where the offender has exerted such sufficient power and control over them that they recant or they are threatened with additional violence if they do not recant the report or request that the court drop a no contact order. In addition, over the last several decades some have said the face and circumstances of domestic violence has changed and while there are still an overwhelming number of cases that fit the traditional female victim being controlled by her male partner, there are also male victims, same sex victims and cases of situational violence. This creates another layer of complexity when interpreting reports of domestic violence and makes law enforcement’s role even more difficult.

These situations also create a difficult decision making process for professionals down the road, as well as for evaluators who interview victims. In this specific study, the evaluators had very limited access to information (i.e., all de-identified and no case-specific interviews with others) as well as a limited evaluation role; thus they did not have the means or responsibility to explore these victim

allegations further. Never-the-less, the evaluators felt that it was important to honor the victims interviewed and share this part of their story as well.

Four of the victims interviewed by the evaluation team elected to share something about their interaction with law enforcement, even though it was outside of the scope of the evaluation. Two of the 11 victims interviewed reported that their young or adult child made a call to the police because they heard a verbal altercation occurring in a different room. According to the victims, the police made an arrest even though there was no other evidence of domestic violence, and in one case, the identified victim was unwilling to make a statement. In one of these cases and in another case, the victims complained that they or their child were coerced into making a statement to law enforcement or words were put in their mouth. According to the victim in one case, the offender was not in the home when the police arrived in response to the call and two months later the offender received a letter in the mail informing him of the domestic violence charge.

In another situation, a victim reported that police came to the house when the victim was not home and coerced the daughter into telling them that her father had been to the house, in violation of a no contact order. This victim and one of the other victims noted above, reported that they were most disappointed by law enforcement actions and because of this interaction, their children no longer trusted the police and that their children told them that they would not go to the police if they witnessed violence at home, or elsewhere, in the future.

The evaluators wish to stress their awareness of these law enforcement interactions is limited to victim self-report. Had law enforcement not responded as they had, victims may have been in grave danger, thus law enforcement's interventions might have saved their lives.

In closing this discussion, it appears that, never-the-less, DV Court offenders and victims were more positive about their overall experience than those in the traditional court. For example, offenders were more likely to report being heard and victims felt both heard and aware of how offenders were progressing even if they were no longer in relationship with the offenders. This engagement provided an additional sense of safety and comfort for victims.

Lastly, a few court professionals voiced concern that among some elected officials/others there might be concern regarding the staffing requirements and related costs for a court of this nature. They were aware that those individuals would ideally like to see the DV Court increase the number of offenders seen each day. However, one of the prosecuting attorneys mentioned the need to examine and determine the optimum number of offenders that can be served with the current level of staffing while maintaining the quality of service. At the same time, professionals also expressed great appreciation for the support from these officials and others, including those at the administrative level, for this model and for the funding required to implement it. As stated by one judge "It is very hard to sell to people that are making budget cuts, but we [continue] increasing the number of cases [over time] and are saving lives. There is some talk with Boise to come up with some kind of DV court. If we had the funding and resources we could change the face of DV in the valley." Additional comments regarding potential barriers from the view point of professionals, victims and offenders are included in Appendix D.

Impacts on Court Professionals' Ability to Perform their Jobs

The court professionals who responded to this evaluation effort are committed to their specific role in the court process. It was essential to determine whether or not the DV Court approach enhanced or inhibited their professional role. No one reported any challenges; instead they highlighted how the approach supports their ability to perform their job more effectively. In fact, most reported that this approach supported their ability to perform their duties in ways they preferred. For example, one judge spoke about the ability to learn more about the offender, the wishes of the victim, and the overall situations; thus supporting their ability to hold offenders accountable and make more informed decisions.

Another judge spoke to the job being more meaningful, since they get to know the parties, observe changes in offender behavior, and work more closely with other court professionals. Both prosecuting attorneys spoke to how this court supports their work. "You can file your paperwork and be heard within 7-10 days; such a difference from [the traditional court] where notices will go out and you may or may not get a clerk who will give you a date. This court allows you to do your job which is to present your information to the judge and let him/her decide." The other attorney added, "I get these cases at least a week before the jury trial. In a different misdemeanor court I would get it the same morning. The court is willing to hear my motion and discuss it. In other courts the sentencing is standard – that is different here – they allow me to tailor my case and [the court] rarely disagrees when there is an agreement with prosecution and defense. The fact that a victim can always be heard in court does make my job easier." The public defender highlighted the opportunity within this court model to tailor its response to each offender and the ability of attorneys to present their case and having their recommendations supported by the court. However, at the same time the public defender noted that when an offender starts with private counsel, who may not continue, it can be both frustrating and a point of concern as their office wants to ensure the change in legal counsel does not "compromise representation because I am far less familiar with the case." See additional statements in Appendix D.

"It definitely enhances our ability to do our job. All of the roadblocks in front of us in [the traditional court] are down. We keep [victims] on board much more when you are doing what is important to them – keeping food on the table, taking care of their kids."—Victim Witness Coordinator

"There are changes in how the professionals approach their case. Everyone knows what the Court is doing and understands the monitoring and that the court is set up for people to succeed. You are not just fighting a charge to get the least you can get, because the focus of the court is – looking at this family and looking long term."—DV Court Judge

Working Relationships Among Professionals

Professionals agreed that the DV Court builds collegial and trusting work relationships among all staff of the court. Supporting the change in working relationship is the fact that they are a dedicated team working together week-in and week-out. They have come to both understand and respect each other professionals' roles and commitment to their appointed responsibilities. Over time, they have learned, and it has been reinforced by action, awareness that they share a common hope to focus on rehabilitation and treatment for the offender while maintaining safety and minimizing trauma to the

victim and other members of the family. Professionals reported that because of this shared goal they have developed a trust, and a team-like atmosphere that is contrary to the adversarial nature of most court settings. They believe that the change in working relationship has had a positive impact on the experiences and outcomes for offenders and victims. Specifically, the focus is less on punishment and more on identifying needs, providing treatment and supporting offender success, all the while ensuring victim safety. The public defender summarizes the working relationship and the outcome as follows, “With the emphasis being more on rehabilitation than jail time I find it fosters more of a team effort with a common goal in mind. Ultimately the goal is to have these folks attend a class, become aware of their situations and reactions. Everyone wants to see success.” For detailed quotes from other professionals see Appendix D.

Those interviewed were also asked to comment on specific areas and the extent to which the DV Court model allowed them to perform their job and serve offenders. Three separate elements were explored: timely access to police reports and other information, ability to give notice and construct the case, and the use of the one-judge one-family approach.

Timely Access to Police Reports and Other Information

One element of this DV Court model that was viewed as essential to their ability to perform their job well was timely access to police reports and other information (model guidelines were within 48 hours of the arrest). The prosecutor and public defender offices both confirmed that they receive information quickly and how important it was to their role for offenders and victims. They reported that such access supported their ability to prepare the case, be on track when interacting with the offender and victim, and make informed decisions. One DV Court Judge shared that the process of “fast tracking” information takes a commitment from various agencies and parties such as law enforcement; the powerful motivator among the professionals is the benefit to the family. The prosecuting attorney shared “The detective gives me a written report within a week. Everything associated with incident, including written report goes to defense as well. I would say I get things within a week and that is huge to me.”

Ability to Give Equal Notice and Construct the Case

Court personnel were asked if the fast track approach allowed everyone in the process the opportunity to give equal notice and construct their case. Again, the response was overall very positive. Several of the court professionals talked about the commitment it takes to work more swiftly but also underscored the benefits of a fast track approach for families. Those interviewed expressed that in the long run it enhances their ability to perform their role. A prosecuting attorney reported “I think it does, yes. The amount of time and resources that my office will put into the case does make it different. I get audio within a week, my colleagues from other courts may get it in three months.” Meanwhile, the public defender noted that “Generally, I have a chance to sit down with folks [the offenders in advance of a court case]. With regard to folks making decisions about pleas I have adequate time to talk with them.” At the same time, the public defender raised a challenge with this abbreviated time line when there is the need to “jump in” to a case when an offender’s private counsel drops the case on short notice. The public defender’s concern revolves around the interest to represent the alleged offender in the best way possible. However, counsel noted that the public defender’s office would be supported a continuance if one was requested.

In addition, one of the DV Court Judges shared that this model does allow for the construction of the case and due process. In fact, the judge reported, “Yes, more so than on the 2nd floor [traditional court], because it is an immediate thing and fresh on their minds. An immediate opportunity to tell their story and for victims to get their needs met. We meet the offender, they meet their lawyers, we set the matter for another hearing almost immediately so that we give them the message that this is urgent. We understand that families are in pain because of this, and it honors the trauma that these people have gone through.”

One Judge – One Family Model for Criminal Domestic Violence Case and Civil Cases

Of great interest was to examine court professionals’ and treatment providers’ thoughts regarding the impact of having the same judge preside over the criminal domestic violence case and concurrent and/or subsequent civil cases. Nationally, supporters for the one-judge approach point to its potential to reduce conflicting orders as well as assure effective, coordinated and enhanced safety measures for the victim and custody orders for children because the judge has a greater level of awareness and case involvement.

Meanwhile others are concerned about a judge’s ability to separate the legal aspects and considerations. Professionals in the DV Court were open and shared their concerns about the one-judge approach. They noted the balance that the judges have to always be mindful of. Some shared that a judge presiding in a criminal case generally gains more information about the offender and family members than would a judge in a civil case. There were also concerns raised by a few about the long-term impact of first impressions. Initially persons in a domestic violence situation may not present themselves, or be presented, in the best light. Coupled with an awareness that the individual had or is still struggling with mental health or substance abuse issues, the concern was that this information could potentially influence the civil case finding; court professionals felt these concerns might apply equally to offenders and victims.

Although there were concerns, as the court professionals shared their thoughts all came to their own conclusion that the positive aspects of having a single judge outweighed their professional concerns. Primarily, it is believed that if the judges are more knowledgeable, they are able to make more informed decisions. Some of those interviewed also pointed out the benefit that families are not required to repeat evaluations—creating a financial hardship, or result in civil case delays. According to those who participated in this evaluation, the abilities, professional experiences, and personalities of the judges add to their confidence that due process is not compromised. One of the court personnel who participated in the evaluation also noted that in rural counties having the same judge hear both types of cases is a common practice. Below are statements shared by those interviewed regarding a single judge hearing civil and criminal cases for the same offender and his/her family. Additional quotes can be found in Appendix D.

“Absolutely [positive], once we get it into the DV Court we are able to consolidate and simplify any conflicting orders.”—Public Defender

“That is a tough one. I think it’s good in some aspects because I know those judges speed up the divorce process, which probably helps both parties. At the same time, it is tough because they get a lot more information from a civil case. But they are judges, so I guess they separate where that information comes from.”—Prosecuting Attorney

Four of the DV Court victims interviewed had criminal and civil cases assigned to the same judge and all felt very positive about this. They felt it was important that the judge was already aware of the domestic violence issues, knowledgeable about all that was “going on”, and thus could make an informed decision.

- “I completely agree with it. The judge from the civil doesn’t have to come up to speed on the criminal and understands some of the nuances of what is going on here.”
- “I filed for divorce on my own and I found out that it had been reassigned to the judge who was overseeing the criminal. Honestly, I think it’s good because the judge knows what is going on. I don’t have to bring up things to a judge regarding what I am going through and why I am asking for these things.”
- “My husband and I went through the parenting course and came to an agreement, so the Judge basically just stamped it, but the Judge was very aware of what was going on. Very positive – I would give it a 10 – it was so nice to keep it to one judge who knows the whole situation.”

“I feel that in [DV Court] we are more family oriented, we even allow the family to go in [to the court room] including children. People feel more comfortable knowing that it is a family court, [focused on] victim safety [yet we all] want what is best for everyone in the case.” —Probation Officer

Preservation of Offenders’, Victims’, and Children’s Rights

Participants in this evaluation agreed that, while rights are preserved in both courts (DV Court and traditional court), there is an increased opportunity for victims and children to be heard in the DV Court. They also noted that there is an understanding that moving these cases through the system quickly reduces the stress experienced by families. As one of the judges described it, “Fundamentally everyone has an obligation to protect people’s rights and afford people the opportunity to be heard whether on this floor or downstairs [the traditional court]. I don’t think that this court does that differently from the other court, but that the speed with which this court moves causes different results. We are recognizing that these people are human beings and have lives that have been completely destroyed as a result of law enforcement intervention. This court affords everyone to have more opportunities to be heard.”

Victim and Offender Perspectives on the Differences Between Domestic Violence Court and Traditional Court Models

Victim’s perspectives regarding the DV Court were primarily positive. Four victims had prior court experiences and could compare those experiences to their DV Court experience. Three of four victims interviewed commented on how the increased accountability through the DV Court was important in impacting the offenders’ behaviors. Two of these three victims also talked about feeling supported by court professionals such as the judge, defense attorney and victim witness coordinator. One victim who preferred the traditional court approach appeared to focus on the financial hardship of the court process.

- “During the prior experience I had no idea what was going on. I didn’t get an explanation of anything. I was kind of thrown in there. I was put up on the stand. It was a really horrible experience for me. With this one I had a bad taste in my mouth coming into it, but the VWC [Victim Witness Coordinator] and the DA [prosecutor] listened to me and understood where I was coming from. They have really made an effort to ensure I am in on everything,

understand the process, and what my rights and responsibilities are. The VCW was very good at explaining the process, what I could do, what I didn't have to do and stuff like that. I had a VWC last time but it wasn't as good an experience."

- "This experience felt like the prosecution was there to hold the offender accountable, but they were there wanting the best for him as well – not just to suffer the consequences, but to do what was in his best interest. This is what had me know that this was where we were supposed to be. I can say very confidently that if we had been through DV Court the first time this would not have happened a second time. It is definitely the judge and the prosecutor that made me feel this way."
- "The first time they had me take a [domestic violence treatment] class and it didn't take very long before they lifted the NCO [no-contact order]. This time it is a different judge – who seems a little more concerned for the women. The Judge seems to know more about this. It seems like this Judge is a little more hard core, which is good. The guys need this, sometimes they think they are invincible and don't need to follow the rules. He has more classes this time around. He had jail time. The last times they were more lenient on him and I don't think he learned. This time it is more serious, but having to pay for jail time, classes, etc. out of pocket has made things harder."
- "I almost thought the first process was better for us as a family because the NCO [no-contact order] was lifted sooner. He got to come home sooner and there was a lot less money involved. I think he went to court a lot less the last time. I wasn't encouraged to go to any review hearings. That time the court involvement lasted about the same amount of time. He paid for the assessment – he took anger management like three times. He didn't take the [domestic violence treatment] classes or the substance abuse classes that time. They didn't have him on the color code system [random drug testing] last time. The most recent one has felt longer."

Meanwhile, the victim interviewed from the traditional court had a somewhat unique situation because the victim had already moved out of the state when the case went to court. The victim did state that the process was put off and that by the time the case made it to court (in the traditional court) it was like the incident never happened. The victim acknowledges that the Victim Witness Coordinator was the victim's only connection to the court. The victim said that if the Victim Witness Coordinator had not contacted the victim, she would have not even known what was going on. However, the victim stated that "to this day I don't even know what the verdict was – I would have liked to have known what happened."

Several offenders, from both types of court, expressed frustration with no-contact orders and the effects on the family, especially financially, and this frustration is echoed in the majority of their comments. However, there were some differences in how offenders experienced the two courts. In contrast to offenders in the traditional court, DV Court offenders felt like they had the opportunity to speak and were listened to. During interviews, offenders were asked to rate the extent to which they felt their voice (e.g., needs, wishes, concerns) were heard throughout the court process on a scale from 1 to 10. The average score given by offenders in the traditional court was three. Meanwhile the average score for offenders from the DV Court was five.

- "I have had one particular review hearing where I felt like I was basically told to shut up, but all of my experiences were not that intimidating. If not for that incident, [my score] would be an eight. I definitely was asked questions from the judge and the judge gave me an

opportunity to speak and allowed me to ask questions – so I feel like I had every opportunity to speak out and express my wishes.”–DV Court Offender

- “The Judge would always hear from the prosecution side before hearing from me, but it was all right. The judge seemed pretty supportive of what I was doing and how I was doing in the classes.”–DV Court Offender

Extent to which Court Stakeholders Believe This Court Model Should be Sustained

“I was a prosecutor from ‘91-‘04 and I have been a judge since then and it [DV Court] is the best thing I have ever done – it is why you went to law school, it is why you went into public service, it is why you went into criminal law, because you wanted to make a difference. It is not just holding someone accountable, making someone safer – it is doing all those things at the same time.”— DV Court Judge

Court professionals and community treatment providers were asked to rate on a scale from 1 to 10, with ten being “strongly support” that the DV Court be sustained. Among court professionals the average response was 9.3 and among community treatment providers the average response was very high – 9.8. These professionals overwhelmingly agreed that this Court model should be sustained. The court professionals interviewed are seasoned professionals. Through this approach they have witnessed a number of successes: changes in offender behaviors, victims more involved and having a voice, and experiencing the opportunity to make a positive change in the lives of others. The public defender’s rating was lower than average primarily because “occasionally you will get someone who is really

a victim of circumstantial violence; the offender ends up with probation violations - it is probably worse in the long run for them than if they were just in the [traditional court] mill and got more of a standard sentence that included a fine or maybe some jail time. If you get somebody who is ill suited or not inclined to self-help, I am not sure that they are better off.” Even so the public defender supports sustaining the model because if “folks who come in with a good attitude, that they are going to learn something out of this and not repeat – we feel like we have had a positive impact and they are better people for it.”

As noted above, community treatment providers were also very interested in sustaining the DV Court model. This is evident by their 9.8 rating and the narratives they provided. Below are quotes from the four providers who also provided narrative responses.

- “DV Court allows clients to see a judge and address behaviors/lack of participation. Great follow up.”
- I believe there should be a separate monitoring court [e.g., like this type of court] because domestic violence is on the rise and it eliminates crowding the regular court system.
- Anytime a problem solving court can be utilized, there is a better capability of positive outcomes re: client, family, community.
- It [the DV Court] has been open to suggestions from treatment providers and it has provided reasoned sentences for offenders.

“Ten – I have been doing probation for so long and I truly see the success stories coming out of this court. It’s hard to be a PO, especially with domestic violence cases. It wears you down and you go through a burn out stages occasionally. But to actually see the outcome of this court and how well they do and hearing from the victims about the changes in the quality of their lives, make this job worthwhile.”—Probation Officer

Chapter Seven

Victim Safety

This section addresses outcomes related to victim safety. It includes descriptions of factors believed to reduce the likelihood of future domestic violence, including the types of services and treatments ordered by the court, changes in the offenders in variables which might indicate better overall functioning and a greater stake in conformity (LaBriola, Remple and Davis, 2005), and qualitative information provided by victims pertaining to their perceptions of safety. This section also describes outcomes for DV Court offenders related to criminal charges that could indicate new domestic violence incidents (e.g. rates of violations of no contact orders, and subsequent criminal charges). The research indicates there are a number of factors associated with enhanced victim safety such as reduced number of dismissals, timely engagement of victim witness coordinators (they are present at all arraignments), and relationships built with probation and the Prosecuting Attorney's Office. However, since the group of offenders examined in this evaluation had not yet completed the court process, a detailed analysis of factors leading to recidivism and the effects of the DV Court on recidivism cannot be measured at this time and is beyond the scope of the current study.

Services Ordered

Information on types of services ordered was obtained from the record reviews done with the small groups randomly selected from the DV Court and traditional court offenders (n=19 and 20, respectively). Numbers ordered to each type of treatment were small, in some cases too small to permit meaningful testing of statistical significance. However, some statistically significant differences were noted in patterns of services ordered by the two courts. The greatest difference in services ordered was with respect to domestic violence treatment (also known as Batterer Intervention), which was ordered significantly more frequently for offenders in the DV Court ($p=.001$, Fisher's exact test). Mental health evaluations were also ordered significantly more often for DV Court Offenders ($p=.003$ Fisher's exact test). The only other services ordered with any frequency were substance abuse evaluation and treatment. Orders for substance abuse evaluation were issued more frequently for the DV Court group; however, this difference did not reach statistical significance, perhaps due to the small numbers of offenders included in the analysis. Percentages ordered to attend substance abuse treatment were similar. Details with respect to services ordered are outlined below.

Domestic Violence Treatment

Domestic violence treatment was routinely ordered for all offenders seen in DV Court. This was confirmed in the files reviewed. All 19 DV Court offenders in the sample were ordered to domestic violence treatment. Of the 20 offenders seen in traditional court, domestic violence treatment was ordered for half (n=11).

Substance Abuse Evaluation and Treatment

Sixteen offenders were ordered to undergo an evaluation for substance abuse issues, 10 (52.6%) from the DV Court group and 6 (30%) from the traditional court group. Thirty five percent (n=7) of the traditional court group was ordered to participate in substance abuse treatment compared to 33.3% (n=6) of the DV court offenders.

Mental Health Evaluation and Treatment

Ten offenders of the 39 files reviewed were ordered to undergo a mental health examination; nine from the DV Court group, and one from the traditional court group. Mental health services were ordered for two offenders in the DV Court group and were not ordered for any of the traditional court offenders.

Parenting Classes

Like mental health services, parenting classes were ordered only for offenders in the DV Court (n=9). However, it should be noted that typically the probation officer does not recommend parenting education until the end of an offender's probation, as offenders are most likely to incorporate this information once they are substance free, mentally healthy, and have had success in completing other court ordered treatment. This may explain the limited number of offenders who had been ordered to parenting classes within the study period.

Other Services

"Other" services, primarily counseling, were ordered for 11 offenders; five in the DV Court group and six in the traditional court group.

Changes in Offenders at Follow-up

Data on select demographic and behavioral characteristics at six months from arrest and one year from arrest were gathered for the randomized sample of offenders on supervised probation that was served through a traditional court approach (n=20), as well as a randomly selected subset of 19 DV Court offenders. These data are examined below to identify any patterns of changes over time or differences in change over time between groups. However, since data were available for only a limited number of offenders, particularly at the one-year point, and the number of offenders experiencing changes is small, tests of statistical significance were not performed.

Education

Educational level remained the same for 17 of the 19 DV Court offenders both at six months and one year. One DV Court offender had moved from a high school diploma to partial completion of a college degree and no follow up data were available for one offender. No changes occurred for the 11 offenders from the traditional court for which data were available.

Employment

In the DV Court group, employment status changed for six of the 18 offenders for whom follow-up data was available. Three of these offenders moved from unemployment to full or part time employment, one moved from part time to full time employment, and two became unemployed. Of the 12 traditional court offenders with six month follow up data, only one person's employment status had changed. This person's employment had changed from full time to part time. At one year, one of the five people in the traditional court group for whom data was available had changed from part time employment to becoming unemployed.

Income level

Income data was available for 13 offenders in the DV Court group. Of these 13, income had increased for two, decreased for four and remained the same for seven people. Of the 10 offenders in the traditional court group, income levels for seven had remained the same, had increased for one and decreased for two. At the one year mark, data indicated that there were no income changes in the group of seven DV Court participants for whom information was provided. For traditional court participants, one showed an increased income, another showed a decreased income, and three remained at their six-month income level. These difficult economic times may have impacted employment and therefore changes related to income for both groups of offenders.

Transportation

For the DV Court group, availability of transportation remained the same for 14 and changed for five people. Of the five people experiencing changes, lack of transportation became an issue for two and ceased to be an issue for three. Ten of the twelve people in the traditional court group for whom data were available did not experience any changes in availability of transportation. For the remaining one person transportation became an issue. At the one year mark, data was only provided for the DV Court group. In that group, transportation ceased to be an issue for an additional participant.

Relationships

In the DV Court group 12 of 19 offenders' relationships to the victim remained the same. Of the seven who experienced a changed status, two moved from married to divorced, with a third moving from married to filing for divorce. Other changes in relationships were from separated to single, from dating to living together, from living together to married, and from dating to single. In the traditional court group, the relationship stayed the same for 8 of the 12 offenders with six month follow up data. Changes in status of the other four relationships included married to separated, married to divorced, separated to divorced, and separated to married. These status changes remained the same across both groups at the one year mark.

Changes in Substance Abuse

Substance abuse issues, once identified, were still considered per policy to exist at follow-up. However, it was possible for new substance abuse issues to be identified. The DV Court perception was that because of more intensive involvement by the court and probation substance abuse issues would be identified more frequently than would the traditional court as a result of increased awareness and/or trust relationships are formed. Although this was a possibility, no new substance abuse issues were identified either at six months or at 12 months for the 14 people in the DV Court group for whom follow up data were available or for the 12 people in the traditional court group for whom data were available.

Changes in Mental Health

There were very few changes in mental health diagnoses at either follow up period. In the DV Court group one offender was diagnosed for the first time, one offender received an additional diagnosis, and one offender went from having a mental health diagnosis to no diagnosis. In the traditional court group three offenders who had not had a diagnosis at intake were diagnosed for the first time during the follow-up.

New Incidents of Domestic Violence

Obviously an important element of victim safety concerns the incidence of additional incidents of domestic violence. Some data were available for this study related to subsequent incidents: specifically numbers of calls to law enforcement, and new arrest charges. However, data could not be collected in sufficient detail in the current study to make clear interpretations of patterns observed. For example, information was not available regarding who made the call, the identity of the victim, or if the call resulted in an arrest.

In the current study no subsequent calls were received by law enforcement for the majority of offenders, regardless of group (69.4% overall, 69.6% of DV Court offenders, 69.2% of traditional court offenders). When subsequent calls were received, the modal number for both groups was one. This is in line with rates found in previous studies (LaBriola, Remple and Davis, 2005). However, the lack of detail regarding the call (i.e., available data did not include anything on the nature of the calls, when they took place, or who the alleged victim was), combined with the possibility that DV Court victims may have felt more comfortable making calls and been more likely to report incidents than they otherwise might have been, make it difficult to interpret the meaning of these rates.

Findings related to new criminal charges also appear similar to those of previous studies (LaBriola, Remple and Davis, 2005) in which no differences were found in new charges being filed either in general or specifically related to domestic violence, based on type of court. In the current study, the relationship of type of court to occurrence or non-occurrence of a new criminal charge was not statistically significant. As in the call data, DV Court victims' sense of safety and willingness to report may have resulted in more re-arrests. However, these re-arrests could have different meanings for the different groups, and could actually represent an increase in safety if they reflect an increased willingness to report. An increased sense of safety is supported by victim's comments.

Victim Responses Regarding Their Safety

None of the victims interviewed felt that safety was an issue for them and many commented on measures that were in place by the court that made them feel safe. Some of these measures included:

- responding quickly to safety concerns;
- bringing safety issues up in review hearings;
- having the no-contact order (NCO) in place right way;
- the level to which this Court takes the offender's behavior seriously and holds offenders accountable; and
- availability of their victim witness coordinator to bring information to the court while protecting the anonymity of the source.

Sample comments from DV Court victims were:

- "They are very understanding in addressing my issues quickly considering half the time I called them with something that happened recently; they are happy to bring the issues up in court and make sure that I am safe along with my boys."
- "They had the NCO in place right away, once the courts got involved, I felt safe."

- “I did [feel empowered]. I finally felt like there was someone on my side who was going to help me and put a stop to this. I have been married for 20 years; for the first 12 they never addressed this, they just took him to someone else’s house and I was afraid to call the police. This time I felt like I really mattered instead of, ‘just go home and be a family again so that this can happen all over again’. I gave it a nine only because of the financial aspect.”

Services and Supports Related to Safety

The reality is that in many cases families will choose to remain together, regardless of a domestic violence incident. In these cases, the hope is that the DV Court process will contribute to their ability to do so in a safe way. Both offenders and victims commented on elements of the DV Court process, including connections to treatment and other services that were helpful to them in making decisions about their relationships and connecting them with treatment services.

In five of the six DV Court cases for which interviews were conducted with offenders, the offenders reported their families chose to stay together. One offender noted several services that were supportive, “A lot of it was the domestic violence classes, love and logic classes [a parenting education class], and anger management.”

Six of the ten DV Court victims reported an interest in remaining with the offender. Victims also spoke to services and resources that helped them ensure that they remained safe in their relationships. The specific types of services victims and offenders pointed to included counseling or parenting education classes, as well as concrete assistance from the DV Court Coordinator in helping them to understand the potential severity of their situation and to comprehend the need for intensive rehabilitation; although in all five cases the offenders stated that they believe that they would have remained together regardless of any court services.

- “A stressful time. The whole situation, but it had the best possible outcome it could have had. Me and my husband are more committed to having a great marriage. We have been in counseling – we are almost done and it has really helped.”–DV Court Victim
- “VWC, PO, [DV Court] coordinator [roles/elements of the project that were helpful]. I was very worried and didn’t want to cause trouble. After being threatened, the last thing you want to do is make someone angry. They helped me understand what reasonable expectations were and what the broken boundaries were.”–DV Court Victim
- “She [DV Court Coordinator] helped connect me with a mediator that helped with us unraveling our relationship. She played a crucial role in that.”–DV Court Victim
- “She [DV Court Coordinator] offered me some good advice. I felt like I was being heard. She was a good sounding board. She suggested reading materials. She really understands the situation.”–DV Court Victim

Four of the ten DV Court victims interviewed indicated that they wanted to remain with the offender but felt that the court had not offered any support to help them do so safely. One victim commented that the process seemed to be going in “a different direction”. However, others commented that their experiences clarified for them that they wanted to keep their relationship intact.

- “I was never able to talk to the PO [probation officer] or the counselor. I felt like [the offender] was put under an NCO and whisked away in a different direction. I wanted to

have couples counseling/marriage counseling and I don't know if that was an option, no one ever asked me about that."

- I don't believe the program could do any more. My ex has chosen his life and I chose to be a part of that for too long and my children have suffered and that is something that I have to deal with and move forward and make things better for them. There is no way I can change him, I can only change myself".
- "The first couple of times [prior to involvement with the DV Court], yes [I wanted to keep my family together]. This last time I had reached a point that I saw that it [the domestic violence] never was going to end. It was probably part of being empowered by the court process; I realized that I didn't have to do this anymore."

Barriers Related to Safety

Many of the victims and offenders interviewed stated that the financial burdens associated with the no-contact orders and required treatments posed a financial burden and contributed to stress within the relationship. A small number specifically mentioned effects on the relationship that could potentially impacted safety negatively. These are statements shared by DV Court victims:

- "I filled out the paperwork for the state fund, I got it back and it said I qualified, but only for 80% and I didn't have the money to pay the portion. My son is getting counseling through my work benefits. You can't get help when you are not below the poverty line. In my income bracket there is very little help for people. I think it is really important for people to understand when you qualify for the state insurance fund, it doesn't cover the whole visit – and that is hard for someone who is struggling financially."
- "If they would allow for things like the free counseling my job offers – it would really decrease the tension in the house – because the money is a problem. They say that this is a new program and that there won't be jail time and won't be as much money, but this has been really expensive. Sometimes I wonder if the people [offenders] in those [domestic violence] classes just fake it. They just pretend like it is all good and they are doing their stuff and they are not. Sometimes you don't see as big a change as you would like to see. My parents still want me to leave him but it is hard."

Professional and Community Treatment Providers Response Regarding Victim Safety

Key court stakeholder groups (e.g., Judges, Prosecuting and Defense Attorneys and Victim Witness Coordinators) were asked to provide insights regarding their thoughts on whether the DV Court supported ongoing safety among victims. These court professionals were asked to rate the extent to which they believed the DV Court supported victim safety. This survey question used a four point scale, with 4 being "strongly supports"; 3 "supports; 2 "somewhat supportive," and 1 "not supportive." The overall average score among the court professionals (n=7) is 3.57 and 3 among the community treatment providers (n=4), with two providers replying "unknown."

When asked to share the reasons for their ratings, court professionals shared "a myriad of reasons." Four referred to offender accountability and judicial monitoring as major factors. Two referred to processes used to engage the victim in the process and ensure that meaningful supports and services are available. One referred to both of these elements by highlighting that it's the overall differences in court philosophies with this approach, which included increased offender

and case monitoring and offender accountability along with the provision of supports to victims. Select quotes from court professionals included:

- “Safety is assessed throughout the case; through each hearing. Court professionals are involved during the probation [period].”—Victim Witness Coordinator
- “A victim in the DV Court is more likely to be meaningfully involved in the court process which enhances their safety.”—DV Court Judge
- “Increased offender monitoring increases victim safety because the Court can address non-compliance.”—Prosecuting Attorney
- “Sentencing happens on the 2nd floor [the tradition court] but no checking in. Victims are usually not seen again. Victims in the DV Court have a better idea of what is going on.”—Victim Witness Coordinator
- “Within one week of the arrest [the victim] is in court and has the opportunity to be heard and begin to understand the process and what resources are available.”—Another DV Court Judge

Community treatment providers shared the following comments in response to the question regarding safety:

- “Victims would and are feeling like their voices are being heard.”
- “The DV Court provides one judge who gets to know enough about offenders to protect the victims.”

Additional insights into how the DV Court approach supports victim safety were revealed in response to another question that asked what elements of this approach were supportive of victims, offenders, their families, and the system itself. Since safety is of primary concern for all professionals, each addressed victim safety within their response, often highlighting similar elements. For example, victim witness coordinators noted that offenders seen in the traditional court would not be monitored and held accountable on an ongoing basis at the same level as those in the DV Court. The victim witness coordinators also reported regular ongoing interactions with victims are more likely to occur with the DV Court victims. In the DV Court, the protocol is for victim witness coordinators to call or write a letter to the victim prior to each review hearing, be physically available at review hearings, and call victims after each review hearing. As a result the victim witness coordinators serve as ongoing resources for victims. Victim Witness Coordinators are more aware of the potentially risky situations for victims and are able to intervene when necessary. Since the traditional court has fewer, if any, review hearings, “structural created opportunities” to connect with victims are lacking. Secondly, because DV Court victims are encouraged to attend and participate in review hearings and/or are kept informed by the victim witness coordinators about what is happening at review hearings, if the victim is unable to attend “[a] victim has a better idea of what is going on.” This knowledge empowers victims to make informed decisions regarding their own safety or those of their children. Victims are contacted regardless of whether or not they are maintaining a personal relationship with the offender.

Similar to other professionals, the DV Court judges highlighted the frequency of review hearings, level of offender accountability, and provision of treatment services. In addition, one judge spoke to the specialized knowledge and experiences of the various professionals working within the DV Court and how that knowledge and awareness aids to ensure increased victim safety. Specifically, the judge stated, “When you are dealing with these types of cases [domestic violence], especially at

a misdemeanor level, it is like looking into a foggy crystal ball. People with more experience are more able to read into the case [identifying] what is best, how this person is presenting in the court and how are they doing in their treatment, and what is the best way to modify or remove a NCO.”

Prosecuting attorneys also noted the positive impacts of increased offender accountability and monitoring and its positive impact on victim safety. One prosecuting attorney reported that through this approach, the court is able to address domestic violence earlier, prior to it escalating through the DV Court’s “screening and service provision.” Additionally, the prosecutor noted that the “buy-in and engagement of the victim” makes it so that the “victim is more likely to disclose.”

A prosecuting attorney also reported that through this court approach prosecutors are working more closely with the victim witness coordinators who work directly with the victim and monitor victim safety. Based on increased awareness and information, as a result of their working relationship, the attorney is positioned to ask domestic violence detectives to talk with victims or increase the numbers of patrols driving by the victim’s residence.

A question on the court professional and community treatment provider survey asked to what extent they believed the DV Court decreases the likelihood for repeat domestic violence by offenders in comparison to the traditional court models. A 4-point Likert scale, with 4 being “strongly supports”, 3-“supports”, 2-“somewhat supportive”, and 1-“not supportive” was used. The overall average score among court professionals was 3.30 while the average score among community treatment providers was 2.40.

The court professionals believe there is a reduction in repeat domestic violence for similar reasons that they believe victims are safer. Eight court professionals provided additional narrative responses along with their ratings. Seven named increased offender accountability and monitoring. One added that accountability and monitoring were generally for a longer period of time for offenders in the DV Court. Three referred to the quality of the evaluations, treatment services, and case planning which address the various presenting issues such as substance use and mental health. Quotes are provided below which highlight these reasons:

- “...treatment being more rapid and meaningful; the offenders being more accountable; the victim being more involved in the process; the offender being evaluated better, screened better and the existence of an enhanced safety planning; and violations being dealt with immediately.”—DV Court Judge
- “Defendants are engaged in an intensive and thorough assessment process to determine their individual needs and a case plan is created that addresses these concerns with the outcome of reduced future violence, decreased substance abuse, improved levels of mental health and well-being.”-DV Court Coordinator
- “[We] need to prioritize—get him clean and sober and address mental health before I ever get him into domestic violence class. It’s a lot of case planning. Can’t do anything in one year—chance of recidivism is much higher than if you have them for two years.”—Probation Officer

With regard to repeat domestic violence, community treatment providers inserted following comments supporting their responses:

- “If a client is going to re-offend they will no matter what DV Court or traditional courts are doing; but multiple reviews should reduce recidivism as well as strong accountability of client.”
- “I have some of the same clients come through my course 2 to 3 times.”
- “It’s better than the alternative court approaches.”

Chapter Eight

Outcomes Related to Offender Compliance and Accountability

This area examines and describes outcomes related to compliance with court ordered treatment, compliance with the requirements of probation (e.g. number of visits missed, probation violations), and the rates of usage of discretionary jail time. Various perspectives on the role of the DV Court Coordinator in ensuring accountability are also discussed.

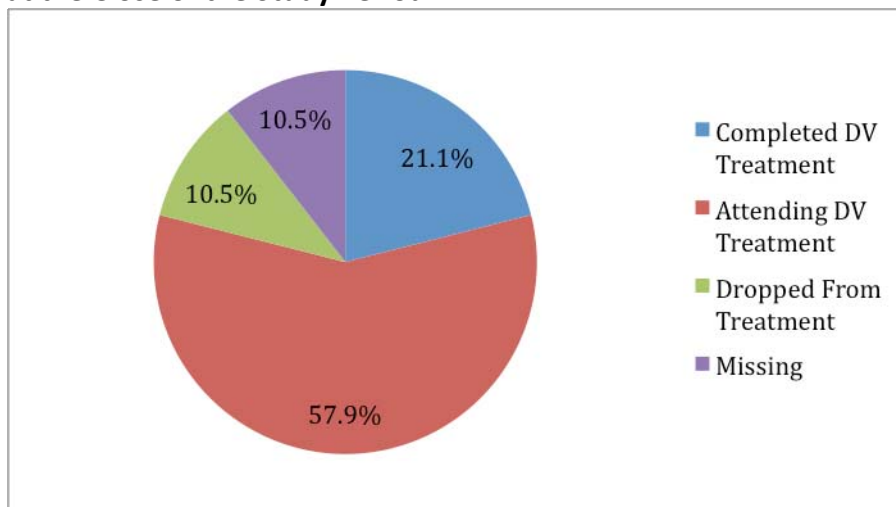
Service data were collected for the smaller, randomly selected, subsets of DV Court (n=19) and traditional court (n=20) offenders. Data on services ordered were relatively complete; however, data on service completion were available for only a few offenders. Relatively few people were ordered to participate in some of the possible services. Additionally, services ordered were not evenly distributed across DV Court and traditional court groups, and for some offenders, there was not sufficient time available to complete treatment before the end of the study period. Thus, it was not always possible to test the statistical significance of group differences in service completion, and for much of these data only patterns are described.

Treatment Compliance and Rates of Completion

Domestic Violence Treatment

As shown below, at the end of the study period, 21.1% of DV Court offenders had completed domestic violence treatment and another 57.9% were still engaged in treatment. It is important to note most offenders were ordered to 52 weeks of treatment (84.2% of DV Court Offenders and 81.8% of Traditional court Offenders).⁶

Figure 9 Treatment Completion Status for Domestic Violence Court Offenders at the Close of the Study Period



Eight (72.7%) of the 11 traditional court offenders for whom Domestic Violence treatment was ordered, either completed or partially completed treatment. Three offenders did not attend any of

⁶ There were too few offenders ordered to 26 weeks (five between both groups) to conduct a statistical comparison.

the sessions ordered. Of the eight who attended some or all of the sessions ordered, two had completed treatment, four were attending at the time of study completion, one person had stopped attending, and one person had been dropped. Although a higher percentage of DV Court offenders than traditional court offenders had either completed treatment or were actively attending treatment (79.0% compared to 54.5%), these differences did not reach statistical significance. This may be a function of the small sample size in the current analysis.

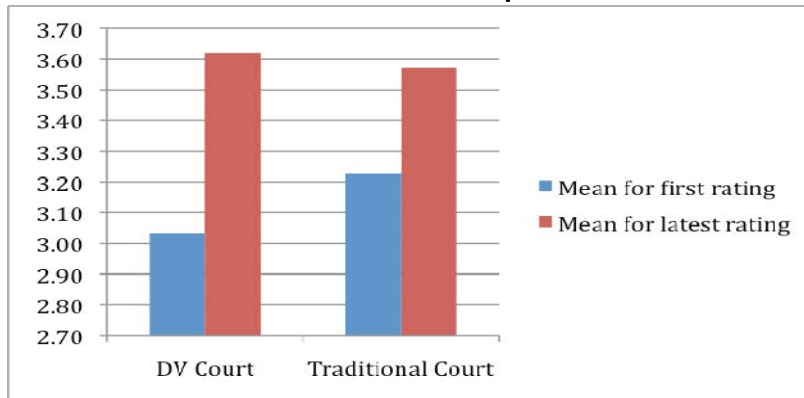
Only three offenders were dropped from domestic violence treatment, two from the DV Court group and one from the traditional group. One of the two offenders from the DV Court group restarted treatment; however, this person was dropped a second time and did not restart treatment.

The DV Court requires that monthly treatment progress reports (see Appendix C) are filled out by treatment providers that rate an offender's participation and progress in treatment. These progress reports are submitted to probation and subsequently submitted to the court at the review hearing. This allows the court to gauge an offender's participation in the treatment process and gain insight into an offender's progress throughout treatment. Treatment progress reports were available for 17 of the 19 DV Court offenders and for 7 of the 20 traditional court offenders whose case files were reviewed for comparison. Between one and fourteen reports were filled out per offender. The number of reports filled out was strongly correlated ($r=.86$) with number of weeks of treatment completed. There were no statistically significant differences between groups in number of weeks completed or number of reports available.

Progress in treatment was measured for all offenders with more than one report ($n=17$ for DVC court and $n=6$ for traditional court) by comparing the mean progress ratings from the first report completed to mean ratings from the latest progress report completed. In treatment, DV Court offenders experienced statistically significant positive change in progress ratings from their first to their latest treatment progress reports. These offenders also experienced a greater magnitude of change than traditional court offenders, although this difference did not reach statistical significance.

As shown in Figure 10, mean progress ratings increased from the first report to the most recent report for both the DV Court and the traditional court groups. However, this increase was statistically significant only for the DV Court group ($t=3.911$, $d.f.=16$, $p<.001$). When adjusted for number of weeks of treatment completed, the change in mean progress ratings was still greater for DV Court offenders compared to traditional court offenders (.61 versus .29). This difference did not reach statistical significance, perhaps due to the small numbers of offenders for whom more than one progress report was available during the study period.

Figure 10 Increase in Mean Progress Rating from Entrance into Domestic Violence Treatment to the Time of the Latest Available Report



Compliance with Substance Abuse Evaluation and Treatment

Eighty percent of the DV Court offenders (n=8) and 66.7% (n=4) of the traditional court offenders who were ordered to undergo a substance abuse evaluation completed the evaluation. This difference was not statistically significant.

Of the seven offenders from the traditional court group ordered to substance abuse treatment, two had completed treatment, one had attended at least one session of treatment two were attending at the close of the study period, and data for two offenders were not available. Of the six offenders in the DV Court that were ordered to treatment, two had completed treatment, three were attending at the close of the study period and data were missing for one person.

No statistically significant differences were found between the DV Court and traditional court groups related to number of drug and alcohol tests ordered or in number of missed or positive drug and alcohol tests.

Compliance with Mental Health Evaluation and Treatment

Ten offenders of the 39 files reviewed were ordered to undergo a mental health evaluation; nine from the DV Court offenders, and one from the traditional court. Four (44.4%) of the DV Court offenders completed the evaluation and the one offender from the traditional court also completed the evaluation. Statistical tests could not be performed since the traditional group included only one person.

Mental health services were ordered only for two offenders in the DV Court. One of the two people ordered to participate in Cognitive Self Change (CSC) training partially completed the training. The other person did not attend any of the training.

Completion of Parenting Education Classes

Like mental health services, parenting education classes were ordered only for offenders in the DV Court group. Two of nine offenders ordered to parenting education, completed the classes. However, as mentioned earlier, parenting education typically is not begun until an offender is at the end of their probation, which may explain the limited number of offenders who completed parenting education classes within the study period.

Completion of Other Services

“Other” services, primarily counseling, were ordered for 11 offenders; five in the DV Court group and six in the traditional court group. One offender of the five ordered to counseling from the DV court group completed counseling within the study period. Three of the five DV Court offenders and one of six traditional court offenders were engaged in counseling services at the close of the study period.

Compliance with Probation Requirements

Information on offender compliance while on probation was available for 20 offenders from the traditional court and 19⁷ randomly selected DV Court offenders, all of whom were on supervised probation. On average, offenders in the DV Court group had 17.1 meetings with their probation officers compared to an average of 7.7 for the traditional court group. This difference in contact was statistically significant ($t=4.547$, $df=34$, $p<.001$). However, there were no statistically significant differences in number of meetings missed. On average, offenders in both groups missed just over one meeting (a mean of 1.16 for the DV Court group and 1.06 for the traditional court group).

Use of Discretionary Jail and Time Served

Data regarding use of discretionary jail time (DJT) were available for a subset of 19 DV Court and 20 traditional court cases. Discretionary jail time was used for 42.1 percent of DV Court offenders in this subset ($n=8$). It was not used for any of the 20 traditional court offenders.

DJT was used a total of 10 times for the eight DV Court offenders; once for six offenders and twice for two offenders. The first use was by the Court for two offenders and by the probation officer for the other six offenders. For the two (of the original eight) offenders who had a second episode, it was used in one case by the court and in the other case by the probation officer. The length of time for the first use varied from a low of 4 days to a high of 45 days, with a mean of 17.5 days. Lengths of time for the two second uses were 30 and 45 days.

Victim and Offender Perspectives on Accountability

Increased Judicial Monitoring and Review

When asked to describe potential benefits of the judicial monitoring and review hearings, with a few exceptions those victims who chose to participate in the review process reported that keeping them informed about the offender’s progress in treatment, holding the offender accountable, and giving the victim the opportunity to participate were beneficial. Most appreciated the fact that the offenders had to follow-through with treatment and other court ordered requirements. Sample comments included:

- “In the past he just came back home – he thought [the rules] didn’t apply to him. This last time he was scared. I think he knows that they [the Court] are serious and I am serious.”— DV Court Victim

⁷ Twenty offenders were originally selected; however, one was dropped from the sample because his involvement fell outside of the study’s timeframe.

- “I think it’s good, especially considering my ex doesn’t follow through with things, he procrastinates. In this situation I think it is good to do the monitoring to make sure he is following through, which he hasn’t been, but that is not my problem. I don’t take part in those [review hearings], if I have a concern I bring it to the victim witness coordinator or the DA [prosecuting attorney] and I feel confident that my concerns are brought up in court.”—DV Court Victim
- “Absolutely there was a benefit. The parole officer was there at every review hearing – the constant monthly review hearings were very positive as far as keeping the accountability there.”—DV Court Victim
- “It has been really frustrating that he doesn’t take it seriously, and he manipulates and gets away with a lot. It’s a game for him. I know the program is based on rehabilitation, and I know it might work for some people, but for him what would work is being incarcerated for longer than ten days here and there. I know some people believe that everyone can be rehabilitated, but I don’t think so – you can’t make someone change unless they want to and I don’t think he wants to change.”—DV Court Victim
- “He having to go to court and holding him accountable (was a support). Letting him know that he can’t put it off on someone else. Him being forced to take the classes [domestic violence treatment].”—DV Court Victim

Views on the value of review hearings from the DV Court offenders interviewed were mixed.

- “I know that a lot of the reasons they do that is so the judge and probation officer know if you are progressing and picking anything up [learning]. From that point I have to say it was pretty remarkable. There was a benefit to me.”—DV Court Offender
- “I can see there being benefits, maybe not in my case. I understand why they have the monitoring. Especially in my case, they have extended it from 60 to 120 days, so I can see where if you are doing what you are supposed to be doing it can be every 120 days. This has been harder on my wife than me...she cries a lot. It has upset her very, very much and the kids. I think they are putting everyone into one bucket and just trying to get the strongest sentence they can. If I were to do this over again I would ask for a jury trial. I sit in these classes with people who can’t afford to come – there are guys who have been going for two years and get credit for 27 classes because they couldn’t pay for them. I think it is about money.”—DV Court Offender

DV Court offender perspectives on increased monitoring (from probation exit interviews, n=49) were more positive. Most (81%) reported that review hearings were helpful and positive. Three (7%) out of the 46 were not supportive, primarily because they felt there were too many hearings, and two (4%) had no comments. Sample comments are presented below.

- “I appreciate that good deeds are rewarded.”
- “It’s good to be checked on every now and then and receive encouragement.”
- “Very positive, everyone there always gave me such a positive view on things and to keep doing great like I was.”
- “At first frustrating, then better as time progressed.”
- “I had a lot. It seems like they should be on a more need to basis.”

- “Helpful, yet lengthy. I understood my wrong doing from the beginning.”
- “It was scary at first. I then learned that everyone in system was there for me and wanted me to succeed.”
- “I was/am responsible for my actions and outcome.”

Court-Ordered Domestic Violence Treatment

All six offenders interviewed from the DV Court attended domestic violence treatment and five of the six found the class to be valuable. In fact, offenders reported they wish they had heard this material early in their life. Statements from three of these offenders are presented below.

- “The domestic violence class was very interesting and probably valuable. I told the judge that I thought they should teach that class in high school...a lot of people have said that too.”—DV Court Offender
- “I took a 26 week class and it was really good. Since I have been through this twice – you have to wonder what kind of person goes through this once and then does it again. If I hadn’t been drinking it wouldn’t have happened. They really wanted to know what happened and why this happened. The second one, I had homework every week. That was something to keep you thinking about it.”—DV Court Offender
- “I don’t feel that the domestic violence treatment helped me at all – instead they have been a hindrance. I can miss two classes in 13 weeks, and [my wife] is scared of leaving town on vacation because what if there is an emergency in the future and I will have used up my two times; they will throw me in jail again. She feels like she is in prison.”—DV Court Offender

Chapter Nine

Summary and Recommendations

Summary of Study Findings

The primary purpose of this study was to examine how well the DV Court implemented key model elements and to what extent its practices differ significantly from those of the traditional court approach. To determine whether or not the DV Court was successful in achieving its goals, the evaluation team gathered qualitative and quantitative data; specifically through court professionals' interviews and surveys, community treatment providers' surveys, and an analysis of court data and timelines based on administrative data, along with victim and offender statements shared during interviews.

Findings were overall very positive. Court professionals and community treatment providers expressed a high degree of satisfaction with the model and belief in its effectiveness, and data from the ISTARS system and case file review supported the achievement of key goals related to faster processing of cases and increased monitoring of offenders.

Court professionals believe that the DV Court model and the assigned "team members" support their ability to respect each others' legal and professional roles; that the process, although quicker, does protect the rights of all parties; and that the model elements enhance the safety of victims and keep offenders accountable. Community treatment providers surveyed gave high ratings to key DV court elements, and the extent to which court processes implemented met outcome objectives. Having one judge presiding from start to finish on a case, having one judge hearing all related cases for the same offender, maintaining ongoing and frequent court review hearings, the role of the DV Court Coordinator, the fast track approach to disposition of cases, and the intensive monitoring of court ordered services all were rated 4 or higher on a 5-point scale by these professionals. Among court professionals, these same items were also specified as key factors to enhance victim safety and/or offender accountability along with other elements and practices, such as earlier engagement of advocates and access to services for offenders. Another indicator of support for this model was the high ratings given by community treatment providers and court professionals for sustaining the DV Court, (9.8 and 9.3 on a 10 point scale, respectively).

An analysis of the DV Court timeframes from arrest to disposition supported the court professionals' belief that the DV Court model moved offenders more quickly through the court process and into treatment when compared to the traditional court's timeframes. Time from arrest to sentencing, arrest to pretrial conference, and arrest to beginning treatment, were all significantly shorter for offenders seen in the DV Court than in the traditional court. Comparisons of the DV Court processes with those of the traditional court model showed a statistically significant advantage for the DV Court in increasing the number of cases disposed by a guilty plea and decreasing the number of cases dismissed. This is important because faster processing of cases is believed to be one of the factors associated with enhanced victim safety.

In addition to faster processing of cases, quantitative comparisons between the two courts revealed an advantage for the DV Court in providing increased supervision and monitoring for offenders. Offenders seen in the DV Court were significantly less likely to have their case dismissed.

They were significantly more likely to receive supervised probation and to spend longer on supervised probation, although they did not differ from traditional court offenders in length of time on unsupervised probation. DV Court offenders also appeared to be more closely monitored than traditional court offenders. They had significantly more meetings with probation and judicial contacts. The ability to impose DJT as needed, an important means of providing immediate sanctions for non-compliance, was ordered significantly more often for offenders in DV Court than offenders in traditional court.

Comparisons between randomly selected subsets of offenders from the two courts, showed no statistically significant differences in outcomes related to compliance with court ordered treatment, compliance with probation (e.g. number of visits missed, probation violations), or number of missed or positive drug and alcohol tests. All offenders in these comparison groups were on supervised probation; thus, the lack of differences in compliance measures may be due in part to the effective role that supervised probation plays in the offender's rehabilitation process. Moreover, numbers available for analysis were quite small. Data on service completion were available for only a few offenders, in part because there was not sufficient time available to complete treatment before the end of the study period. Additionally, relatively few people were ordered to participate in some of the possible services, and services ordered were not evenly distributed across DV Court and traditional court groups. For these reasons, the lack of observed differences in compliance should be viewed with caution, and should be explored further with larger numbers of offenders and a longer follow-up period.

The research indicates there are a number of factors associated with enhanced victim safety related to aspects of the court process, types of services and treatments ordered by the court, and changes in the offenders overall functioning and stake in conformity (LaBriola, Remple and Davis, 2005). Since the group of offenders examined in this evaluation had not yet completed the court process, a detailed analysis of the effects of the DV Court on victim safety and offender recidivism was beyond the scope of the current study. However, victims reported feeling safe for a variety of reasons: the no-contact order being put in place quickly, concerns being addressed when brought to the attention of the court directly or via out of court dialogs with court professionals, knowing more about what was happening with the offender, feeling that they had a voice in court and that the offender was being held accountable, and increased awareness of resources from interactions with victim witness coordinators and the DV Court Coordinator.

Supporting victims' increased perceptions of safety, some differences were also noted in factors believed to reduce the likelihood of future domestic violence, specifically, types of services and treatments ordered by the court, and changes in variables thought to indicate better overall functioning of the offender. DV Court offenders were ordered to participate in significantly more services, in part because all offenders were ordered to domestic violence treatment, and were significantly more likely to be ordered to mental health services. In Domestic Violence treatment, DV Court offenders experienced statistically significant positive change in progress ratings from their first to their latest treatment progress reports. These offenders also experienced a greater magnitude of change than traditional court offenders, although this difference did not reach statistical significance.

Recommendations

Based on the current evaluation, five areas emerged that warrant consideration in efforts to strengthen the functioning of the Ada County Domestic Violence Court. These were areas that were addressed by several of the court professionals, victims and offenders alike, and highlight areas the court may seek to address to increase its success in providing increased offender accountability and victim safety.

The first issue was the initial financial burden the court involvement placed on families, as this court was interested to learn whether or not this approach reduces the financial chaos for the family. The combination of a no-contact order (creating the necessity for a family to financially support two households), and payment for supervised probation, domestic violence treatment, and sometimes substance abuse treatment, has the potential to create a financial crisis for many families. Most offenders, victims, and court professionals were supportive of these “interventions” as important elements to ensure victim’s safety and or as a means to facilitate positive changes in offender behavior. It is possible that this issue was more pronounced because of the current economic downturn, with three offenders noting a loss of employment during some point in the process or not having the money to make bail. But nonetheless, it put families in the position of having to make difficult decisions. One offender reported that he had missed mortgage payments, but felt he had no choice but to do so as missing a substance abuse class or domestic violence class could result in jail time. In another case an offender reported that he lost his job as a result of being unable to post bail for several days (he was arrested on a weekend and could not post until Monday). Another offender reported that he lost his job as a result of receiving 30 days of discretionary jail time and commented that he would have learned his lesson in 10 days and been able to work. Victims also reported having to make difficult choices as a result of this financial burden, including choosing between paying bills and buying food for their children and postponing recommended medical treatment for themselves and college for their children. A few victims also talked about the financial burden creating more stress; concerned that it might become a factor in future violence because of the ongoing arguing over money.

While it is understandable that charging offenders for supervised probation and treatment requires them to make an investment in their treatment and be held accountable, a fixed rate for those services may not necessarily be the most supportive practice when the goals include reduced financial chaos, having offenders following through with treatment, and protecting victims. A few of those interviewed spoke about the fact that they were told that they could request financial consideration but were denied; no one interviewed reported receiving payment considerations or adjustments. Therefore, it is recommended that the court consider a sliding fee scale for these services. It could be argued that a monthly \$50 supervised probation charge does not constitute enough of an investment in the program for the CEO of a company to stay engaged or take the program seriously, while for someone who is unemployed, a \$10 charge could constitute a significant investment.

The second recommendation comes primarily from information gathered during interviews with victims. Some reported that they would have liked to have had some form of mediation for communication with the offenders during the no-contact order timeframe so they could exchange information with their partners regarding finances and child rearing.

A third recommendation is for the Court to investigate ways to provide support services for victims; either directly or through a referral process. Victims reported that they would have liked access to individual counseling and marriage counseling or a peer support and education class (in order to understand the court/domestic violence process-what to expect as well as access to general and specific information about domestic violence, how they came to be in this situation and how to make better choices in the future). As two victims expressed, offenders have to attend a 26 or 52 week class, and victims are not offered such an opportunity.⁸

The fourth recommendation goes to the field in general as well as this specific court. It is to think about whether or not there are some situations in which the violence is situational in nature (e.g., infidelity). This does not imply that law enforcement or the court should not intervene, protect the victim or hold the offender accountable. There is never a situation in which anyone “deserved” or should experience violence. The suggestion is to explore what types and levels of accountability, treatment and intervention might be appropriate in different situations that ensure victim safety with a counterbalanced awareness that court and related legal intervention might lead to increased stress, loss of employment, and financial burden for individuals and families.

Finally, it is recommended that further evaluation be done on the effectiveness of the Ada County DV Court model. Results of the current evaluation provide strong support for the model’s effectiveness in achieving key objectives related to court processes and offender monitoring. However, a prospective study with larger numbers, more detailed information about services, and a longer follow-up period is needed in order to assess the Court’s role in bringing about behavioral change in offenders. More detailed information is needed on calls to law enforcement and subsequent arrests. These events must be understood in context before comparisons can be made on these outcomes, particularly since an increased sense of safety on the part of the victim may manifest as a willingness to call law enforcement sooner and more frequently. Also, since behavioral change in the offenders, at a minimum is not just a function of the court model but also the treatment received, future evaluations should plan for the collection and documentation of complete information on services (e.g. treatment model used, service intensity, progress indicators). A prospective evaluation is needed to control for differences in service patterns and effectiveness.

⁸ As a result of the expressed desire by victims to learn more about domestic violence, the DV Court developed a program in August 2009, titled the “Empowerment Program.” The theoretical underpinning of this program centers on the belief that victims of domestic violence are not responsible for the violence that was committed toward them and is an opportunity for victims to gain assistance in identifying acts of domestic violence, to create and maintain healthy boundaries with others, and to enact plans that will increase their level of safety. This program was implemented after the study period, thus the program was not available to those interviewed.

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Appendix A: Key Research Questions

1. Demographically, who are offenders, and are there statistical differences between offenders served by the DV Court and those served through the traditional court approach?
2. Is the DV Court truly different from the traditional court modality?
3. What is the “life cycle” of a court case for offenders in a criminal domestic violence case (e.g. arrest, to first pretrial conference, to pleading or jury trial date, to sentencing, or the dismissal of all charges)?
4. What are the related time frames for and between each point in the legal process for these offenders by court modality?
5. What, if any, differences exist in level of court involvement by prosecutors, probation officers, and judges? (i.e., number of judicial contacts such as number of hearings)?
6. What, if any, differences are there in patterns of supervised probation and unsupervised probation between DV Court and traditional court offenders? Specifically determine what, if any, differences occurred in: the rate supervised probation is ordered,
7. What is the average length of the order for supervised probation?
8. What is the number of probation visits and visits missed?
9. What, if any, differences are there in patterns regarding the use of discretionary jail time versus probation violations between the two courts?
10. Are positive outcomes more likely in select demographic areas (e.g. education, employment, mental health) that potentially reveal positive outcomes (e.g., compliance, probation violations, recidivism)?
11. Is there evidence of continued non-compliance with court requirements including probation violations, and no contact orders (NCO) violations, and/or new NCO filings not related to the index offense?
12. What, if any, differences do victims report regarding their sense of safety?
13. What impact does the DV Court’s fast track judicial resolution model have on family functions and stress?
14. Are there differences between the court models in patterns of offenders ordered to assessments or evaluations and treatment? Do completion rates differ depending on which court process take place?
15. To what extent is offender accountability enhanced by monitoring offender compliance with court orders to attend evaluation, assessments, and treatment by the engagement of the DV Court Coordinator? Specifically, are timelines for completing these tasks improved by the activities and referrals made by the DV Court Coordinator?
16. What are key professional and community treatment provider stakeholders’ perceptions of the DV Court? Analysis includes, but is not limited to, supportive professional’s perceptions of their ability to perform their job role, and their assessment of the model’s impact on offenders and families.

Appendix B: Idaho Statutes

Idaho Statutes, Title 39, Health And Safety, Chapter 63, Domestic Violence Crime Prevention 39-6301. SHORT TITLE. This chapter shall be known and may be cited as the "Domestic Violence Crime Prevention Act."

39-6302. STATEMENT OF PURPOSE. For purposes of this chapter, the legislature adopts by reference the declaration of policy in section 39-5201, Idaho Code. Additionally, the legislature finds that a significant number of homicides, aggravated assaults, and assaults and batteries occur within the home between adult members of families. Furthermore, research shows that domestic violence is a crime which can be deterred, prevented or reduced by legal intervention. Domestic violence can also be deterred, prevented or reduced by vigorous prosecution by law enforcement agencies and prosecutors and by appropriate attention and concern by the courts whenever reasonable cause exists for arrest and prosecution.

The purpose of this act is to address domestic violence as a serious crime against society and to assure the victims of domestic violence the protection from abuse which the law and those who enforce the law can provide.

It is the intent of the legislature to expand the ability of the courts to assist victims by providing a legal means for victims of domestic violence to seek protection orders to prevent such further incidents of abuse. It is the intent of the legislature that the official response to cases of domestic violence shall stress the enforcement of the laws to protect the victim and shall communicate the attitude that violent behavior in the home is criminal behavior and will not be tolerated. It is the intent of the legislature to presume the validity of protection orders issued by courts in all states, the District of Columbia, United States territories and all federally recognized Indian tribes within the United States, and to afford full faith and credit to those orders. The provisions of this chapter are to be construed liberally to promote these purposes.

39-6303. DEFINITIONS. (1) "Domestic violence" means the physical injury, sexual abuse or forced imprisonment or threat thereof of a family or household member, or of a minor child by a person with whom the minor child has had or is having a dating relationship, or of an adult by a person with whom the adult has had or is having a dating relationship.

(2) "Dating relationship," for the purposes of this chapter, is defined as a social relationship of a romantic nature. Factors that the court may consider in making this determination include:

- (a) The nature of the relationship;
- (b) The length of time the relationship has existed;
- (c) The frequency of interaction between the parties; and
- (d) The time since termination of the relationship, if applicable.

(3) "Family member" means spouses, former spouses and persons related by blood, adoption or marriage.

(4) "Family dwelling" is any premises in which the petitioner resides.

(5) "Foreign protection order" means a protection order issued by a tribunal of another state.

- (6) "Household member" means persons who reside or have resided together, and persons who have a child in common regardless of whether they have been married or have lived together at any time.
- (7) "Judicial day" means any day upon which court business may be transacted as provided in sections 1-1606 and 1-1607, Idaho Code.
- (8) "Protection order" means any order issued for the purpose of preventing violent or threatening acts or acts of harassment against, or contact or communication with, or physical proximity to, another person, where the order was issued:
- (a) Pursuant to this chapter;
 - (b) In another jurisdiction pursuant to a provision similar to section 39-6306, Idaho Code; or
 - (c) In any criminal or civil action, as a temporary or final order (other than a support or child custody order), and where the order was issued in a response to a criminal complaint, petition or motion filed by or on behalf of a person seeking protection, and issued after giving notice and an opportunity to respond to the person being restrained.
- (9) "Respondent" means the individual against whom enforcement of a protection order is sought.

39-6304. ACTION FOR PROTECTION. (1) There shall exist an action known as a "petition for a protection order" in cases of domestic violence.

(2) A person may seek relief from domestic violence by filing a petition based on a sworn affidavit with the magistrates division of the district court, alleging that the person or a family or household member, whether an adult or a child, is the victim of domestic violence. Any petition properly filed under this chapter may seek protection for any additional persons covered by this chapter. A custodial or noncustodial parent or guardian may file a petition on behalf of a minor child who is the victim of domestic violence.

(3) A person's right to petition for relief under this chapter shall not be affected by that person's having left the residence or household to avoid abuse.

(4) The petition shall disclose the existence of any custody or any marital annulment, dissolution or separation proceedings pending between the parties, the existence of any other custody order affecting the children of the parties, and the existence of child protection or adoption proceedings affecting the children of any party.

(5) When the petitioner requests custody of any child, the petition shall disclose:

- (a) The county and state where the child has resided for six (6) months immediately prior to the filing of the petition;
- (b) The party or other responsible person with whom the child is presently residing; and
- (c) The party or other responsible person with whom the child has resided for six (6) months immediately prior to the filing of the petition.

(6) A petition shall be filed in the county of the respondent's residence, the petitioner's residence, or where the petitioner is temporarily residing.

39-6305. FEES WAIVED. No filing fee, service fee, hearing fee or bond shall be charged for proceedings seeking only the relief provided under this chapter.

39-6306. HEARING ON PETITION FOR PROTECTION ORDER -- RELIEF PROVIDED AND REALIGNMENT OF DESIGNATION OF PARTIES. (1) Upon filing of a petition based upon a sworn affidavit for a protection order, the court shall hold a hearing to determine whether the relief sought shall be granted within fourteen (14) days. If either party is represented by counsel at a hearing seeking

entry of a protection order, the court shall permit a continuance, if requested, of the proceedings so that counsel may be obtained by the other party. If the court finds that it is necessary for both parties to be represented by counsel, the court shall enter appropriate orders to ensure that counsel is retained. The order entered may require either the petitioner or respondent, or both, to pay for costs of counsel. Upon a showing that there is an immediate and present danger of domestic violence to the petitioner the court may, if requested, order for a period not to exceed one (1) year that:

- (a) Temporary custody of the minor children of the petitioner or of the parties be awarded to the petitioner or respondent if exercise of such jurisdiction is consistent with the provisions of section 32-11-204, Idaho Code, and consistent with prior custody orders entered by a court of competent jurisdiction unless grounds exist pursuant to section 32-717, Idaho Code;
 - (b) A party be restrained from committing acts of domestic violence;
 - (c) Exclude the respondent from the dwelling which the parties share or from the residence of the petitioner;
 - (d) The respondent be ordered to participate in treatment or counseling services. The council on domestic violence, in recognition of the particular treatment requirements for batterers, shall develop minimal program and treatment standards to be used as guidelines for recommending approval of batterer programs to the court;
 - (e) Other relief be ordered as the court deems necessary for the protection of a family or household member, including orders or directives to a peace officer, as allowed under this chapter;
 - (f) The respondent be required to pay service fees, and to reimburse the petitioner for costs incurred in bringing the action, including a reasonable attorney's fee;
 - (g) The respondent be restrained from harassing, annoying, disturbing the peace of, telephoning, contacting, or otherwise communicating, directly or indirectly, with the petitioner and any designated family member or specifically designated person of the respondent's household, including the minor children whose custody is awarded to the petitioner;
 - (h) The respondent be restrained from entering any premises when it appears to the court that such restraint is necessary to prevent the respondent from contacting, harassing, annoying, disturbing the peace of or telephoning the petitioner or the minor children whose custody is awarded to the petitioner; and/or
 - (i) The respondent be restrained from coming within one thousand five hundred (1,500) feet or other appropriate distance of the petitioner, the petitioner's residence, the school or place of employment of the petitioner, or any specified place frequented by the petitioner and by any other designated family member or specifically designated person of the respondent's household, including the minor children whose custody is awarded to the petitioner.
- (2) Immediate and present danger under this section includes, but is not limited to, situations in which the respondent has recently threatened the petitioner with bodily harm or engaged in domestic violence against the petitioner or where there is reasonable cause to believe bodily harm may result.
- (3) No order made under this chapter shall in any manner affect title to real property.

(4) Relief shall not be denied because petitioner used reasonable force in self-defense against respondent, or because petitioner or respondent was a minor at the time of the incident of domestic violence.

(5) Any relief granted by the protection order, other than a judgment for costs, shall be for a fixed period not to exceed one (1) year; provided, that an order obtained pursuant to this chapter may, upon motion and upon good cause shown, continue for an appropriate time period as directed by the court or be made permanent if the requirements of this chapter are met, provided the order may be terminated or modified by further order of the court either on written stipulation filed with the court or on the motion of a party and after a hearing on the motion. The motion to renew an order may be granted without a hearing, if not timely objected to by the party against whom the order was entered.

(6) In providing relief under this chapter, the court may realign the designation of the parties as "petitioner" and "respondent" where the court finds that the original petitioner is the abuser and the original respondent is the victim of domestic violence.

39-6312. VIOLATION OF ORDER -- PENALTIES. (1) Whenever a protection order is granted and the respondent or person to be restrained had notice of the order, a violation of the provisions of the order or of a provision excluding the person from a residence shall be a misdemeanor punishable by not to exceed one (1) year in jail and a fine not to exceed five thousand dollars (\$5,000), ten dollars (\$10.00) of which shall be deposited to the credit of the domestic violence project account created in section 39-5212, Idaho Code.

(2) A peace officer may arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated an order, if the person restrained had notice of the order.

(3) The person against whom a protection order has been issued by an out-of-state court is presumed to have notice of the order if the victim presents to the officer proof of service of the order.

39-6316. LAW ENFORCEMENT OFFICERS -- TRAINING, POWERS, DUTIES. (1) All training provided by the peace officers standards and training academy relating to the handling of domestic violence complaints by law enforcement officers shall stress enforcement of criminal laws in domestic situations, availability of community resources, and protection of the victim. Law enforcement agencies and community organizations with expertise in the issue of domestic violence shall cooperate in all aspects of such training.

(2) When a peace officer responds to a domestic violence call, the officer shall give a written statement to victims which alerts the victim to the availability of a shelter or other resources in the community, and give the victim a written notice provided by the Idaho state police substantially stating the following:

IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or county prosecuting attorney to file a criminal complaint. You also have the right to file a petition in magistrate court requesting an order for protection from domestic abuse which could include any of the following: (a) an order restraining your abuser from further acts of abuse; (b) an order directing your abuser to leave your household; (c) an order preventing your abuser from entering your residence, school, business, or place of employment; (d) an order awarding you or the other parent custody of or visitation with your minor child or children; and (e) an order restraining your abuser from molesting or interfering with minor children in your custody. The forms you need to obtain a

protection order are available from the clerk of the district court. The resources available in this community for information relating to domestic violence, treatment of injuries and places of safety and shelters are: (For safety reasons, inclusion of shelter/safe house addresses is not necessary). You also have the right to sue for losses suffered as a result of the abuse, including medical and moving expenses, loss of earnings or support, and other out-of-pocket expenses for injuries sustained and damage to your property. This can be done without an attorney in small claims court if the total amount claimed is less than five thousand dollars (\$5,000).

(3) The peace officer shall make every effort to arrange, offer, or facilitate transportation for the victim to a hospital for treatment of injuries or to a place of safety or shelter.

(4) The law enforcement agency shall forward the offense report to the appropriate prosecutor within ten (10) days of making such report if there is probable cause to believe that an offense has been committed, unless the case is under active investigation.

Idaho Statutes, Title 18, Crimes And Punishments, Chapter 9, Assault And Battery

18-901.ASSAULT DEFINED. An assault is:

- (a) An unlawful attempt, coupled with apparent ability, to commit a violent injury on the person of another; or
- (b) An intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent.

18-903.BATTERY DEFINED. A battery is any:

- (a) Willful and unlawful use of force or violence upon the person of another; or
- (b) Actual, intentional and unlawful touching or striking of another person against the will of the other; or
- (c) Unlawfully and intentionally causing bodily harm to an individual.

18-918.DOMESTIC VIOLENCE.

(1) For the purpose of this section:

- (a) "Household member" means a person who is a spouse, former spouse, or a person who has a child in common regardless of whether they have been married or a person with whom a person is cohabiting, whether or not they have married or have held themselves out to be husband or wife.
- (b) "Traumatic injury" means a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by physical force.

(2) (a) Any household member who in committing a battery, as defined in section 18-903, Idaho Code, inflicts a traumatic injury upon any other household member is guilty of a felony.

- (b) A conviction of felony domestic battery is punishable by imprisonment in the state prison for a term not to exceed ten (10) years or by a fine not to exceed ten thousand dollars (\$10,000) or by both fine and imprisonment.

(3) (a) A household member who commits an assault, as defined in section 18-901, Idaho Code, against another household member which does not result in traumatic injury is guilty of a misdemeanor domestic assault.

- (b) A household member who commits a battery, as defined in section 18-903, Idaho Code, against another household member which does not result in traumatic injury is guilty of a misdemeanor domestic battery.

- (c) A first conviction under this subsection (3) is punishable by a fine not exceeding one thousand dollars (\$1,000) or by imprisonment in a county jail not to exceed six (6) months, or both. Any person who pleads guilty to or is found guilty of a violation of this subsection (3) who previously has pled guilty to or been found guilty of a violation of this subsection (3), or of any substantially conforming foreign criminal violation, notwithstanding the form of the judgment or withheld judgment, within ten (10) years of the first conviction, shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for a term not to exceed one (1) year or by a fine not exceeding two thousand dollars (\$2,000) or by both fine and imprisonment. Any person who pleads guilty to or is found guilty of a violation of this subsection (3) who previously has pled guilty to or been found guilty of two (2) violations of this subsection (3), or of any substantially conforming foreign criminal violation or any combination thereof, notwithstanding the form of the judgment or withheld judgment, within fifteen (15) years of the first conviction, shall be guilty of a felony and shall be punished by imprisonment in the state prison for a term not to exceed five (5) years or by a fine not to exceed five thousand dollars (\$5,000) or by both fine and imprisonment.
- (4) The maximum penalties provided in this section shall be doubled where the act of domestic assault or battery for which the person is convicted or pleads guilty took place in the presence of a child. For purposes of this section, "in the presence of a child" means in the physical presence of a child or knowing that a child is present and may see or hear an act of domestic assault or battery. For purposes of this section, "child" means a person under sixteen (16) years of age.
- (5) Notwithstanding any other provisions of this section, any person who previously has pled guilty to or been found guilty of a felony violation of the provisions of this section or of any substantially conforming foreign criminal felony violation, notwithstanding the form of the judgment or withheld judgment, and who within fifteen (15) years pleads guilty to or is found guilty of any further violation of this section, shall be guilty of a felony and shall be punished by imprisonment in the state prison for a term not to exceed ten (10) years or by a fine not to exceed ten thousand dollars (\$10,000), or by both such fine and imprisonment.
- (6) For the purposes of this section, a substantially conforming foreign criminal violation exists when a person has pled guilty to or been found guilty of a violation of any federal law or law of another state, or any valid county, city or town ordinance of another state, substantially conforming with the provisions of this section. The determination of whether a foreign criminal violation is substantially conforming is a question of law to be determined by the court.
- (7) (a) Any person who pleads guilty to or is found guilty of a violation of this section shall undergo, at the person's own expense, an evaluation by a person, agency or organization approved by the court in accordance with paragraph (c) of this subsection to determine whether the defendant should be required to obtain aggression counseling or other appropriate treatment. Such evaluation shall be completed prior to the sentencing date if the court's list of approved evaluators, in accordance with paragraph (c) of this subsection, contains evaluators who are able to perform the evaluation prior to the sentencing dates. If the evaluation recommends counseling or other treatment, the evaluation shall recommend the type of counseling or treatment considered appropriate for the defendant, together with the estimated costs thereof, and shall recommend any other suitable alternative counseling or treatment programs, together with the estimated costs thereof. The defendant shall request that a copy of the completed evaluation be forwarded to the court. The court shall take the evaluation into consideration in determining an appropriate sentence. If a copy of the completed evaluation has not been provided to the court, the court may proceed to sentence the defendant; however, in such event, it shall be presumed that counseling is

required unless the defendant makes a showing by a preponderance of evidence that counseling is not required. If the defendant has not made a good faith effort to provide the completed copy of the evaluation to the court, the court may consider the failure of the defendant to provide the report as an aggravating circumstance in determining an appropriate sentence. If counseling or other treatment is ordered, in no event shall the person, agency or organization doing the evaluation be the person, agency or organization that provides the counseling or other treatment unless this requirement is waived by the sentencing court, with the exception of federally recognized Indian tribes or federal military installations, where diagnosis and treatment are appropriate and available. Nothing herein contained shall preclude the use of funds authorized for court-ordered counseling or treatment pursuant to this section for indigent defendants as provided by law. In the event that funding is provided for or on behalf of the defendant by a governmental entity, the defendant shall be ordered to make restitution to such governmental entity in accordance with the restitution procedure for crime victims, as specified under chapter 53, title 19, Idaho Code.

- (b) If the evaluation recommends counseling or other treatment, the court shall order the person to complete the counseling or other treatment in addition to any other sentence which may be imposed. If the court determines that counseling or treatment would be inappropriate or undesirable, the court shall enter findings articulating the reasons for such determination on the record. The court shall order the defendant to complete the preferred counseling or treatment program set forth in the evaluation, or a comparable alternative, unless it appears that the defendant cannot reasonably obtain adequate financial resources for such counseling or treatment. In that event, the court may order the defendant to complete a less costly alternative set forth in the evaluation or a comparable program. Nothing contained in this subsection shall be construed as requiring a court to order that counseling or treatment be provided at government expense unless otherwise required by law.
- (c) Each judicial district shall by rule establish a uniform system for the qualification and approval of persons, agencies or organizations to perform the evaluations required in this subsection. Only qualified evaluators approved by the court shall be authorized to perform such evaluations. Funds to establish a system for approval of evaluators shall be derived from moneys designated therefore and deposited in the district court fund as provided in section 31-3201A(q), Idaho Code.
- (d) Counseling or treatment ordered pursuant to this section shall be conducted according to standards established or approved by the Idaho council on domestic violence.

18-923.ATTEMPTED STRANGULATION. (1) Any person who willfully and unlawfully chokes or attempts to strangle a household member, or a person with whom he or she has or had a dating relationship, is guilty of a felony punishable by incarceration for up to fifteen (15) years in the state prison.

(2) No injuries are required to prove attempted strangulation.

(3) The prosecution is not required to show that the defendant intended to kill or injure the victim. The only intent required is the intent to choke or attempt to strangle.

(4) "Household member" assumes the same definition as set forth in section 18-918(1)(a), Idaho Code.

(5) "Dating relationship" assumes the same definition as set forth in section 39-6303(2), Idaho Code.

Appendix C: Standardized Community Treatment Provider Progress Report

Monthly Domestic Violence Treatment Progress Report

Client Name: _____ Provider Name: _____ Month & Year _____
 Probation Officer: _____ Case Number: _____ Date of completion _____
 # of Group Participants: _____ Total Sessions Attended: _____ Attendance this month: ____/____
 Sessions Required: _____

Money Owed: _____ Does this client need more hours? Yes No (circle one)

If client needs more hours, please explain why:

Client's commitment to improving self or making changes:

Unaware Doing the time Preparing Deciding Taking action Practicing Self-Directing

Evaluation of client's treatment progress in this month's group:

Scale: 0 – Unknown, 1- Almost Never, 2 – Seldom, 3 – Half the Time, 4 – Frequently, 5 – Almost Always

1. ___ **Homework** – Completes on time with evidence of thought and effort
2. ___ **Disclosure** – Discloses appropriately
3. ___ **Interaction** – Participates without prompting or disrupting
4. ___ **Feedback** – Giving it, feedback is constructive and timely
5. ___ **Feedback** – Accepting it, receives feedback thoughtfully
6. ___ **Responsibility** – Admits abuse was wrong unconditionally
7. ___ **Accountability** – Accurately described, in detail his/her behaviors and payoffs
8. ___ **Impact** – Identifies short and long term impact of client's abuse on partner and children
9. ___ **Awareness** – Excellent self-awareness
 ___ Expresses a number of emotions
 ___ Client very aware of own behavior's effect on others
10. ___ **Empathy** - Excellent empathy / concern
11. ___ **Impulse control** - Controls impulses / actions
12. ___ **Consequences** - Accepts and handles consequences
13. ___ **Controlling behaviors** - Uses non-violent/non-abusive behaviors in dealing with others
14. ___ **Amends** – Engages in restorative actions

Additional Comments:

- What additional services/resources would benefit the client and his/her family?
- Have any unaddressed or previously unidentified mental health concerns been recognized?
- Have there been any changes in the client's home environment that raise concerns?
- Were there any one-on-one interventions between client and clinician?

Appendix D: Select Quotes

Fast Track Model

- “In a real sense the court is more problem solving and holistic than a normal court – everyone is able to maintain their function, but there is greater and richer communication which results in cases being resolved more quickly with a better resolution as a result of that.”—DV Court Judge
- “The biggest complaint by victims [on the 2nd floor, where the traditional court is located] is that by the time it’s done [the court process] they too are done. They don’t want to participate anymore because it took so long before the offender was held accountable and got treatment. . . . Because of the NCO [no-contact order], it felt like it was the system abusing them rather than the offender. The value for [DV Court] victims is the shorter time before the offender is held accountable and gets treatment. Economically, [the delay] is huge because they are paying for another apartment [as long as NCO is in place].”—Victim Witness Coordinator
- “Holding [offender] accountable right away—punishment doesn’t help 2-3 months down the road. The huge piece is that cases can go quickly into treatment.”—Victim Witness Coordinator
- “They don’t have to spend their money on a DV evaluation so instead the money is being used on them going into the therapy immediately. NCO is still in place, [so getting them into] therapy immediately [is important].”—Probation Officer
- “Biggest asset is ability to move quickly – being nimble – addressing NCOs and the cases rather quickly. This really helps families – especially those having financial issues with NCOs. I have seen a lot of success stories, people who have received treatment and been the better for it.”—Public Defender
- “The need is for much faster, much swifter disposition of these cases for a number of reasons. First reason is obvious, the quicker you can deal with these cases and get an offender into treatment. Second, there is a significant amount of disruption to the family. Accelerating the cases solves a lot of those problems. Just from a theoretical standpoint, you have attorneys on the defense side much more involved, you have prosecutors and judges who are specializing in those cases and can understand and appreciate those dynamics.”—DV Court Judge

Coordination of Offender Case Plan

- “It is not a one size fits all. It [needs to be] a dynamic treatment plan and a case plan that is subject to change. I might think that someone is very violent but instead you find out that there are underlying issues that needs to be addressed.”—DV Court Judge
- “The PO monitors all offenders the same way. In terms of the coordinated treatment plan [offender case plan], there is an enhancement. We have more heads coming together to make a good plan and we can move on it quickly. To lose [the DV Court Coordinator] would move us way back.”—Probation Officer
- “Before we standardized [the treatment progress reports], from one provider we would get four areas on a Likert scale from 1-5 and a few general comments. Another provider also

used a Likert scale but it was 1-10. In standardizing [the progress reports], we know what each of them means. We are now getting good sense of what [offenders] are learning and how they are applying it.”—DV Court Coordinator

- “On the second floor a person goes into treatment, progress reports are coming out and I never see them. But [in this court] we have met with the providers and I learned what these scores mean and I am getting [written] comments. So I can hold [offender’s] feet to the fire or reinforce what the treatment provider is doing”—DV Court Judge
- “Yes, because [judges] are more informed. In order to make the decision to lift or not lift the NCO, one needs the whole picture. The DV Court judge will ask how he is doing in probation, if he is going to classes, being accountable, etc. They don’t have that on the second floor.”—Probation Officer
- “I think that it really helps us to get those reports [monthly treatment progress reports]. We compare them to the previous months. We go over the progress reports with the offender. I have noticed a big change in individuals since we used them [progress reports]. The [DV Court Coordinator] will attach all prior progress reports so that the judge can go back and compare.”—Probation Officer
- One treatment provider wrote an additional note pointing to the use of standardized assessment tools and/or processes. “I believe DV evaluation should be completed by non-court DV evaluator. Non-evaluations have been problematic (severity of problem, LOC needed, appropriate for treatment or not).”—Treatment Provider

Strengthened Inter-Agency Relationships and Communications

- “In a real sense the court is more problem solving and holistic than a normal court – everyone is able to maintain their function, but there is greater and richer communication which results in cases being resolved more quickly with a better resolution as a result of that.”—DV Court Judge
- “I think it does because if someone else in the process thinks of another tool [or resource] that we need, it is pretty easy to get that. Like if they [the offender] need another place to live – a sober place. On the second floor, I don’t know that anyone would care. I think it is tough because that offender typically doesn’t come back for a review hearing. Here [at a DV Court review hearing] we have time to talk about it and the judge will say – ok, who is going to fix this – especially with mental health – and [the DV Court Coordinator] knows a lot about that.”—Prosecuting Attorney
- “An example; if something came up like a defendant started drinking a ton, on the second floor wouldn’t know about this until a PV is filed – two months later. Wouldn’t know until I sat down with the PO. And if victim told PO, might not even do anything. Here the PO would call him in for a UA, call him in for a meeting and call me. I would call VWC and she would call to make sure that the victim is safe.”—Prosecuting Attorney
- “[By] working more with the defendant on what will work for their life – [It] helps the state to be more tailored to that defendants needs.”—Prosecuting Attorney
- “[In the traditional court] a person goes into treatment, progress reports are coming out and I never see them. But [in this court] we have met with the providers and I’ve learned what these scores mean and I am getting [written] comments. So I can hold [offender’s] feet to the fire or reinforce what the treatment provider is doing”—DV Court Judge
- “On the second floor the probation officers are not necessarily talking to the offenders or to the prosecutor and VWC would not talk to public defenders – however in DV Court

everyone talks. We still have to maintain confidentiality for victims. . . Our roles are more relaxed in DV Court program, this can be a good thing, but this is a criminal court and the defendant needs to be held accountable. It's a balance – that comes up every day. First in mind for us is how will this affect the victim.”—Victim Witness Coordinator

Offender Monitoring and Accountability

- “The offenders have the same amount of time with their PO. [In the tradition court] no review hearings or teamwork. Yes, it takes more time in a specialized court, but the outcome pays for it. I mean yeah, the review hearings take out two days per week ... but being in court more is really the ticket to the overall success of the offender.”—Probation Officer
- “Value for offenders is that it is about accountability, treatment. I have discretion to look at it on a case-by-case basis and tailor to the individual case. For victims, they work with victim witness coordinators to keep them safe, and the Court will always hear from them. I work with the victim witness coordinators on every case.” “The goals are offender accountability and victim safety. Increased communication and contact provides more opportunity to develop a relationship. This makes victims more inclined to disclose. Increase accountability also makes victims safer. A consistent probation officer promotes accountability and swift responses for misbehavior.”—Prosecuting Attorney
- “I think it does, yes. The amount of time and resources that my offices will put into the case does make it different. I get audio within a week, my colleagues from other courts may get it in three months.”—Prosecuting Attorney
- “I know some defense attorneys are blown away, think it is too fast and can't do it. Judges are good about giving them a heads up. There is enough flexibility that, if there is a good legal basis, can give a continuance.”—Prosecuting Attorney
- “Absolutely there was a benefit. The parole officer was there at every review hearing – the constant monthly review hearings were very positive as far as keeping the accountability there.”—DV Court Victim
- “I did appreciate being kept in the loop as far as her progress. It would have really helped me if the victims had an opportunity to understand the program– why offenders were going through the program and the purpose. I had a victim safety class, but it was pretty generic. It would be good to have a class to teach victims what signs to look for [in relationships]. There are lots of classes for the offenders, but none for the victims. Help me to have tools to stay away from those kinds of relationships.”—DV Court Victim
- “It has been really frustrating that he doesn't take it seriously, and he manipulates and gets away with a lot. It's a game for him. I know the program is based on rehabilitation, and I know it might work for some people, but for him what would work is being incarcerated for longer than ten days here and there. I know some people believe that everyone can be rehabilitated, but I don't think so – you can't make someone change unless they want to and I don't think he wants to change.”—DV Court Victim
- “Back when I did it, I was found guilty, I did anger management class – it was a little different. No discretionary time – unsupervised probation, it wasn't as serious as it is now. Now it seems like it's all about money.”—DV Court Offender
- “I know that a lot of the reasons they do that is so the judge and probation officer know if you are progressing and picking anything up [learning]. From that point I have to say it was pretty remarkable. There was a benefit to me”—DV Court Offender

- “I can see there being benefits, maybe not in my case. I understand why they have the monitoring. Especially in my case, they have extended it from 60 to 120 days, so I can see where if you are doing what you are supposed to be doing it can be every 120 days.—DV Court Offender

The Domestic Violence Court Coordinator

- “From my perspective [the DV Court Coordinator] does a terrific job. Her main value to the offenders is that she has her thumb on the pulse of all kinds of programs – voc rehab, inpatient, outpatient treatment. . .she knows what is out there, what is available, where the funding is, what programs are worthwhile and what we should avoid. She is good about finding programs that will benefit those folks.”—Public Defender
- “It’s nice to have somebody in the courtroom who can address those concerns. It’s usually the judge who wants to know what the availability of programs is, and it’s good to have [the DV Court Coordinator] in the room to take care of that. If she wasn’t there it wouldn’t get done – that is my fear.”—Public Defender
- “[The DV Court Coordinator] is always in the court room. Always willing to help with whatever is needed. She provides resources for the victims and helps them get in touch with attorneys when they want to file for divorce and don’t have money. Same goes for custody, child support, etc.” —Probation Officer
- “It is a great benefit because she is available whenever the victim witness coordinator or probation is not available. She scores all DVI’s [Domestic Violence Inventories, a tool used in the screening process] and keeps on top of all of the meetings and sends a typed scale to our office.”—Probation Officer
- “Fundamentally, the critical piece of having a DV Court Coordinator is that they are neutral. They are there as an arm of the court to simply say the process cares about you and what do you need as you move through this process. Neutrality coupled with amazing knowledge of community resources and how to link families to those resources.”—DV Court Judge
- “There are a number of duties that she performs that would not happen if there were not a coordinator in place.”
- “[The DV Court Coordinator] pulls the civil cases and puts those before the judge so that the judge knows. No other easy way to know. [The DV Court Coordinator] is making copies of NCOs [no-contact orders] so that victims have them. In most courts, victims do not get a copy. She will sit down with them and go over forms. Hooks victims in to attorneys if they want to get divorced and move it faster than the normal. She has good relationships with legal aid and the pro bono program.”—Victim Witness Coordinator
- “There is a lot of coordination and information regarding the services that can be provided to families related to victim safety. Losing [the DV Court Coordinator’s] expertise in the areas of evaluations and screenings and mental health case planning would be a great detriment because we would not be able to provide a lot of the services we provide.”—DV Court Judge
- “[The DV Court Coordinator] has the primary role of bringing everyone together for meetings/case planning. She is vital – sometimes I am sitting there with the prosecutor and we are having four sentencings and I can’t meet with the victim. If we didn’t have her to help coordinate the plan with whole team, including the accessing of basic resources, things might not get done as fast as they do. Could we do it without a case coordinator? Yes. Could we do it as well as we are – no, she is the icing on the cake.”—Probation Officer

- “She helped connect me with a mediator that helped with us unraveling our relationship. She played a crucial role in that.”
- “She was very informative, personable and helpful”
- “[The DV Coordinator has been great. I have questions about filing different documents with the court and what the processes are. Every time I call, she calls right back and I feel like I am bothering her, but she never makes me feel that way.”
- “She offered me some good advice. I felt like I was being heard. She was a good sounding board. She suggested reading materials. She really understands the situation.”
- “VWC, PO, case coordinator [roles/elements of the project that were helpful]. I was very worried and didn’t want to cause trouble. After being threatened, the last thing you want to do is make someone angry. They helped me understand what reasonable expectations were and what the broken boundaries were.”

Barriers to Implementation

- “We will have close to 100,000 cases come through the misdemeanor court, so there is the tendency to look at our court and say we are expending a ton of resources for a very small minority of our cases. It is very hard to sell to people that are making budget cuts but we are increasing the number of cases and saving lives. There is some talk with Boise to come up with some kind of DV court. If we had the funding and resources we could change the face of DV in the valley”—DV Court Judge
- “I don’t really see any big hurdles. I think the judges do a good job – if there needs to be a psych evaluation and the offender can’t pay the court will pay for it. I think the biggest inhibitor is financial pressures, particularly for those who don’t have a job – you are asking for them to pay for probation, classes and evaluations with no money in the bank.”—Public Defender
- “Nothing comes to mind [barriers]. . . . The advantage here is that there are more tools to use. I can ask for anything . . . in this Court the judges understand DV [domestic violence] and understand the tools we use.”—Prosecuting Attorney

Impact of the Domestic Violence Court Model on the Ability of Various Court Professionals to do their Job

- “You can file your paperwork and be heard within 7-10 days; such a difference from [the traditional court] where notices will go out and you may or may not get a clerk who will give you a date. This court allows you to do your job which is to present your information to the judge and let him/her decide.”—Prosecuting Attorney
- “The detective gives me a written report within a week. Everything associated with incident, including written report goes to defense as well. I would say I get things within a week and that is huge to me.”—Prosecuting Attorney
- “I get these cases at least a week before the jury trial. In a different misdemeanor court I would get it the same morning. The court is willing to hear my motion and discuss it. In other courts the sentencing is standard – that is different here – they allow me to tailor my case and [the court] rarely disagrees when there is an agreement with prosecution and defense. The fact that a victim can always be heard in court does make my job easier.”—Another Prosecuting Attorney
- “There are changes in how the professionals approach their case. Everyone knows what the Court is doing and understands the monitoring and that the court is set up for people to

succeed. You are not just fighting a charge to get the least you can get, because the focus of the court is – looking at this family and looking long term.”—DV Court Judge

- “My obligations are quick resolution of cases. My case management is infinitely easier on this caseload. Victims are able to be heard and heard quickly. To know what is going on with families and for people to be held accountable right away. There is no comparison with the second floor [the traditional court]. [There] I didn’t know people. When you are processing 100 cases a day; hearing 27 driving without privileges and 3 barking dogs between a domestic violence you just don’t have the time to focus on getting to know the people in front of you. . . 85% of the judges would like the opportunity to have more information about the cases they are hearing.”—DV Court Judge
- “My job is more meaningful because I am seeing these people so often. For instance, if I have a domestic violence case on the second floor [traditional court], I probably don’t arraign them and if I do it is one of 75-100 cases. Downstairs [traditional court] I spend 5-10 minutes on a plea. Upstairs [DV Court] I am spending 20 minutes on it and I really understand the case. The attorneys are better prepared because they have better, fresher information. I am watching them as offenders go through the process and not just hearing from the PO [probation officer] how they are doing in treatment; and I am reading comments from the domestic violence treatment provider.”—Another DV Court Judge
- “I would say [it’s] positive. I get these cases at least a week before the jury trial. In a different misdemeanor court I would get it the same morning. The DV Court is willing to hear my motion and discuss it. In other courts the sentencing is standard – the DV Court allowed me to tailor my case and rarely disagree when there is an agreement with prosecution and defense. Post sentencing the difference is that the judges really know these cases and the response is more tailored. The fact that a victim can always be heard in court makes my job easier.”—Prosecuting Attorney
- “It definitely enhances our ability to do our job. All of the roadblocks in front of us on the second floor [the traditional court] are down. We keep [victims] on board much more when you are doing what is important to them – keeping food on the table, taking care of their kids.”—Victim Witness Coordinator

Working Relationships Among Professionals

- “There are changes in how the professionals approach their case. Everyone knows what the Court is doing and understands the monitoring and that the court is set up for people to succeed. You are not just fighting a charge to get the least you can get, because the focus of the court is – looking at this family and looking long term.”—DV Court Judge
- “You are a lot closer, get to know each other, I am not going to say on a personal level, but I feel more comfortable approaching the attorneys whether private or public defenders because we work so closely making sure that victims get services and offenders gets treatment.”—Probation Officer
- “They [court professionals] look at the family in a different way; it is not just about this case. There is caring concern put towards the whole family.”—DV Court Coordinator
- “Yes, I would say it is a little different because we are here at the courthouse every day we have a certain amount of cordiality/rapport. We are going to have 10-15 cases a day with the same prosecutor. They understand what the concerns of the offender are and in turn I understand what the concerns of the prosecutor are. We are seeing the same judges, VWC, coordinator. We are somewhat of a team.”—Public Defender

- “With the emphasis being more on rehabilitation than jail time I find it fosters more of a team effort with a common goal in mind. Ultimately the goal is to have these folks attend a class, become aware of their situations and reactions. Everyone wants to see success.”—Public Defender
- “Having a continuity of the players, everyone has more trust for each other. We always think of our criminal justice system as adversarial, that is what it is set up to be. It is much less adversarial in this court. Sometimes it feels a little weird, but it works well for this court.”—Victim Witness Coordinator
- “I think it does, yes. The amount of time and resources that my offices will put into the case does make it different. I get audio within a week, my colleagues from other courts may get it in three months.”—Prosecuting Attorney
- “Generally, I have a chance to sit down with folks [the offenders in advance of a court case]. With regard to folks making decisions about pleas I have adequate time to talk with them.”—Public Defender
- “Yes, more so than on the 2nd floor [traditional court], because it is an immediate thing and fresh on their minds. An immediate opportunity to tell their story and for victims to get their needs met. We meet the offender, they meet their lawyers, we set the matter for another hearing almost immediately so that we give them the message that this is urgent. We understand that families are in pain because of this, and it honors the trauma that these people have gone through.”—DV Court Judge

One Judge-One Family Model for Criminal Domestic Violence Case and Civil Cases

- “Fundamentally everyone has an obligation to protect people’s rights and afford people the opportunity to be heard whether on this floor or downstairs [the traditional court]. I don’t think that this court does that differently from the other court, but that the speed with which this court moves causes different results. We are recognizing that these people are human beings and have lives that have been completely destroyed as a result of law enforcement intervention. This court affords everyone to have more opportunities to be heard.”—DV Court Judge
- “For the most part it functions [well] because of having good judges involved. I am not involved in the civil cases, but when it does come up; my clients usually say positive things. I am sure there are cases out there when folks have felt that they were treated unfairly in the civil arena, but that has not been my experience. I think the judge is good about keeping them separate.”—Public Defender
- “That is a tough one. I think it’s good in some aspects because I know those judges speed up the divorce process, which probably helps both parties. At the same time, it is tough because they get a lot more information from a civil case. But they are judges, so I guess they separate where that information comes from. I do find that sometimes offenders will delay divorce just to [upset] the victim, and our judges stop that.”—Prosecuting Attorney
- “It can be difficult for the judges to compartmentalize. Sometimes the criminal stuff should not be brought into the civil case. I have heard that they are not going to start a civil case until criminal case is adjudicated. If this is true, it would be good.”—Victim Witness Coordinator
- “I think there are advantages and disadvantages. When we have one judge overseeing that, I have seen it hurt victims, not intentionally. Has also been really, really good. Impressions are lasting and when a judge gets a first bad impression of a person, it sticks. People may

come to us with drug issues, mental health issues, etc. If they get a bad first impression, it's a hard thing to overcome. But, overall, it is much better this way."—Victim Witness Coordinator

- "The amount of information and being able to make more secure permanent orders in terms of children is really good. I can put in orders to make sure that kids are safe. Over time I get to see these families, get to know them and make better-informed decisions."—DV Court Judge
- "Here's what happens on the second floor [traditional court] – someone gets arraigned and a no-contact order is made. The divorce case may have temporary order for child visitation. It is confusing, and time consuming, to get different lawyers, judges and contacts to all bring their orders in compliance. Where I have a divorce case, all the orders get amended or filed at once and they all match."—DV Court Judge
- "Yes, of course it does [reduce conflicting orders], and it gives people who are working hard a level of confidence that the judge knows."—DV Court Judge
- "Absolutely, once we get it into the DV Court we are able to consolidate and simplify any conflicting orders."—Public Defender

Preservation of Offenders', Victims' and Children's Rights

- "I feel that in [DV Court] we are more family oriented, we even allow the family to go in [to the court room] including children. People feel more comfortable knowing that it is a family court, [focused on] victim safety [yet we all] want what is best for everyone in the case."—Probation Officer
- "The court encourages victim participation. They have more opportunity to be heard. In the [traditional court] we'll do so at prescribed times, but up here they can speak at reviews as well."—Victim Witness Coordinator
- "The most important piece of this whole court is that it builds confidence in the court system and in process. They [offenders] are real players, they are meaningful and they take pride in their successes"—DV Court Judge
- "With our model you get a real sense of the person, family and victim and what is needed for those specific people. The case may be only 45 days old, but I have seen this person four times now. I get a real sense of this family, not just the case."—Another DV Court Judge

Extent to which Stakeholders Believe the Model Should be Sustained

- "Absolutely a ten – with more and more individuals succeeding in the court. We have been able to accomplish so much with no additional budget. Every one of these people gets paid the same no matter what – it is about the attention to detail and the focus."—DV Court Judge
- "8-9. All of the players have bought into how wonderful this program is and how it works. So, we come to the table because the alternative is to disband."—Victim Witness Coordinator
- "Ten – I have been doing probation for so long and I truly see the success stories coming out of this court. It's hard to be a PO, especially with domestic violence cases. It wears you down and you go through a burn out stages occasionally. But to actually see the outcome of this court and how well they do and hearing from the victims about the changes in the quality of their lives, makes this job worthwhile – makes you want to just keep doing it."—Probation Officer

- “Eight – It should be emulated or sustained here. Folks who come in with a good attitude, that they are going to learn something out of this and not repeat – we feel like we have had a positive impact and they are better people for it. The downside is that occasionally you will get someone who is really a victim of circumstantial violence; the offender ends up with probation violations - it is probably worse in the long run for them than if they were just in the [traditional court] mill and got more of a standard sentence that included a fine or maybe some jail time. If you get somebody who is ill suited or not inclined the self-help, I am not sure that they are better off.”—Public Defender
- “Ten– I think that it’s insulting to treat a domestic violence charge like a DUI or a dog at large [charge]. [Traditional court] sets a tone for the victim that, although it has been traumatic it is not a big deal. I truly believe that no one wants to be a batterer or to treat someone they love this way. They deserve the opportunity to change.”—DV Court Coordinator
- “I just think it is a great program and I am ecstatic with the progress. It is so awesome to see offenders from the beginning when they do not want to do classes or anything, then about three to four months later they start to change and see the light; by seven to nine months they are so happy that they have gotten the help.”—Probation Officer
- “My dream is to get every domestic violence case in a specialized court.”—Probation Officer
- “[Our having] discretionary [jail] time is vital – for example an offender has violated the NCO and has taken off for a couple of days and the victim is scared. They are not going to be able to arrest him for probable cause at the scene. They are going to have to do a police report, send it to the prosecutor to review and to the judge for a warrant which may take another 30 days to come up. It is vital to protect victims.”—Probation Officer
- “I was a prosecutor from ‘91-‘04 and I have been a judge since then and it [DV Court] is the best thing I have ever done – it is why you went to law school, it is why you went into public service, it is why you went into criminal law, because you wanted to make a difference. It is not just holding someone accountable, making someone safer – it is doing all those things at the same time.”—DV Court Judge