Cultivating a Successful Future for the Integrated Domestic Violence Court in Tulsa County

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THE AUTHORS

Four Students with the Lobeck Taylor Community Advocacy Clinic, Katie Arnold, Jacob Haynes, Nick Ohmann, and Megan Waterman (the Research Team) developed this report for the Tulsa County Integrated Domestic Violence Court in the fall of 2014. The Research Team gathered information regarding the best practices from other successful domestic violence courts, government agencies focused on domestic violence, non-profit research and advocacy organizations, and academic studies. The Research Team conducted their research between September and December of 2014.

THE LOBECK TAYLOR COMMUNITY ADVOCACY CLINIC

The Lobeck Taylor Community Advocacy Clinic at the University of Tulsa College of Law is an intensive, one-semester course where student attorneys engage the skills and values of effective lawyering by solving real-life legal problems in a structured learning environment. Clinic student attorneys serve the community by providing representation that increases access to justice for low-income individuals and families, as well as advocacy, capacity-building, and systemic reform on behalf of non-profit organizations and community groups.
ACKNOWLEDGMENTS

This project began when Kelly Greenough, the Director of the Tulsa County Integrated Domestic Court, invited the Community Advocacy Clinic to become a partner and collaborator. This project would not be possible without Ms. Greenough’s vision and support, as well as the cooperation of domestic violence court coordinators from across the nation. Thank you to Amber Moe and Danika Chapple from the domestic violence courts in Idaho, and Leann Duncan from the Winnebago County Domestic Violence Coordinated Courts in Rockford, Illinois, for their help during telephone interviews. Thanks also to Judge Roberto Cañas and Terri Neal from the Dallas County Criminal Court #10 in Dallas, Texas for allowing the Research Team to gain a real-world perspective of a domestic violence court in action.
DEFINITIONS

• Domestic Violence: a pattern of abusive behavior in a relationship used by one partner to gain power or control over the other partner\(^1\)

• Intimate Partners: two people who are or were formerly in a romantic relationship

• IDV Court: Integrated Domestic Violence Court Model that puts criminal and civil cases involving the same intimate partners before the same judge

• Coordinated Courts: Domestic Violence Coordinated Courts Model that allows criminal and civil judges to communicate with one another concerning cases between the same intimate partners

• Mentor Courts: Courts selected by the Department of Justice’s Office on Violence Against Women to serve as role models for domestic violence courts in the United States\(^2\)

ABBREVIATIONS

• Tulsa IDV Court: Tulsa County Integrated Domestic Violence Court

• DOJ: Department of Justice

• OVW: Office on Violence Against Women

• Brooklyn Court: Brooklyn Integrated Domestic Violence Court

• Dallas Court: Dallas County Criminal Court #10

• Ada Court: Ada County Domestic Violence Court

• Winnebago Courts: Winnebago County Domestic Violence Coordinated Courts
EXECUTIVE SUMMARY & RECOMMENDATIONS

The Tulsa County Integrated Domestic Violence Court (IDV Court) Director, Kelly Greenough, asked the Research Team to undertake this project to support the development and growth of the IDV Court. Specifically, Ms. Greenough asked the Research Team to help the IDV Court develop a strategy for goal-driven assessment and measurement of the court’s progress. Based on research into national standards and best practices, the Research Team recommends the following four goals to guide the future work of the Tulsa County IDV Court: 1) Victim Safety, 2) Offender Accountability, 3) Court Efficiency, and 4) Court Consistency. The Team also offers a series of recommended steps the IDV Court can take to achieve these four key goals. These steps are listed below, ranked based on feasibility and importance, and developed in more detail in this report.

The Research Team’s recommendations represent a synthesis of information and analysis from government agencies, non-profit research and advocacy organizations, legal academic sources, and leading domestic violence courts across the country. These recommendations should be considered in light of the fact that, as of this writing, the Tulsa IDV Court is in its earliest stages of development and has been in operation for only a few months. This report and its recommendations are grounded in the context of the current strengths and potential challenges of the Tulsa IDV Court.

RECOMMENDATIONS FOR THE TULSA COUNTY IDV COURT

1. **Hire Compliance Officers**: Compliance officers monitor offenders’ compliance with the Court’s orders outside of the courtroom and help keep offenders accountable between court reviews.

2. **Adopt a Sophisticated Case Management System**: To collect accurate data on case processing time, recidivism rates, and other critical issues, the Court should adopt a sophisticated case management system and work with court administration and judges to ensure consistent reporting in all cases.

3. **Communicate with Batterers Intervention Program Providers**: A coordinator who regularly communicates with BIP providers regarding offenders’ progress in the program and offenders’ compliance with the Court’s orders can help the Court increase the accuracy of reporting on offenders’ compliance and increase offender accountability.
4. **Increase Victim Access to Advocates**: Placing victim advocates from local domestic violence agencies, such as DVIS, in the courtroom and employing victim advocates to serve as a liaison between the District Attorney’s Office and victims can address victim safety by keeping victims more involved in their cases. Advocates can also help connect victims to local victim services, keep victims apprised of the status of cases, and help with safety planning.

5. **Educate Court Stakeholders**: Education on domestic violence issues may help judges, attorneys, and court staff make informed decisions in domestic violence cases and improve interactions with victims and offenders. Education might include domestic violence speakers, trainings, and continuing education programs.

6. **Improve Courthouse and Courtroom Logistics**: Physically separating domestic violence offenders and victims in the courthouse and in the courtroom has been shown to make victims feel safer in the courthouse. For example, the Court could use a courtroom with a partition to separate the parties or use sheriff deputies to enforce separation.

7. **Use Quantitative and Qualitative Data to Determine Success**: The best method of determining success is a mixed method approach of comparing quantitative court statistics with qualitative victim, offender, and court player surveys and interviews to determine the overall success of the Court.

8. **Implement a Firearm Surrender Program**: Making convicted domestic violence offenders prove that they have surrendered their firearms in compliance with 18 U.S.C. § 922(g)(9) would help keep offenders accountable to federal law prohibiting domestic violence offenders from possessing firearms.

9. **Consider Offenders’ Due Process Rights**: Offenders are more likely to comply with court orders when they feel that the justice system treated them fairly. To protect offenders’ due process rights and encourage offender accountability, the Court could conduct full evidentiary hearings on both the criminal and civil cases, and it could recommend that offenders seek counsel educated in domestic violence issues.

10. **Establish Discretionary Jail Time for Incompliant Offenders**: While a tough measure, establishing a program that immediately sends incompliant offenders to jail may help keep offenders accountable and victims safe from offenders who refuse to comply with the Court’s orders. However, the Court must clearly warn offenders during sentencing that they will go to jail if they are not compliant with the Court’s sentence in order to protect offenders’ due process rights and encourage fair treatment of offenders.
INTRODUCTION

Charting new ground in addressing domestic violence in Oklahoma, the Tulsa County Integrated Domestic Violence Court is the first integrated domestic violence court in the state of Oklahoma. The nation’s first integrated domestic violence court, a court system that places civil and criminal domestic violence cases between intimate partners before a single judge, began over fifteen years ago in New York. In the years that followed, state courts began establishing integrated domestic violence courts across the country. As domestic violence courts became more common, the Department of Justice’s Office on Violence Against Women recognized that new and established domestic violence courts needed courts to look to as role models for effective strategies and practices. On March 28, 2013, the Department of Justice named courts located in Brooklyn, New York, Ada County, Idaho, and Dallas, Texas, as the nation’s Mentor Courts; these courts serve as models for other courts across the country. The Department of Justice chose the Mentor Courts based upon each court’s methods of addressing domestic violence in light of the variety of needs in their diverse communities. On September 29, 2014, the Department of Justice added the domestic violence court in Winnebago County, Illinois, as the fourth Mentor Court. In October 2014, Tulsa County joined the domestic violence court movement and established the Tulsa IDV Court in the Tulsa County Courthouse with support from a DOJ grant.

When Tulsa County established the Tulsa IDV Court in 2014, the Court began by hearing criminal misdemeanor domestic violence charges between intimate partners and civil protective orders between the same intimate partners. In 2015, Tulsa plans to add family court cases, including divorce, custody, and paternity actions between intimate partners with concurrent domestic violence cases on the Tulsa IDV Court docket. A court director, court administrator, case manager, and an eighteen-person multidisciplinary team from interested parties inside and outside the courthouse, including judges and domestic violence victim services, lead the Tulsa IDV Court. The method of slowly combining criminal and civil cases into the Tulsa IDV Court docket is an effective way to establish a new court in Tulsa County in order to allow court stakeholders to adapt to the new court system. By kicking off the Tulsa IDV Court with a week of educational programs on different aspects of domestic violence, the Court made a strong start.
in bringing stakeholders on board with the new system and educating them on domestic violence issues that will arise every day in the Tulsa IDV Court.

Tulsa County formed the Tulsa IDV Court in order to resolve cases between intimate partners quickly, better monitor offenders’ compliance with court orders, increase the safety of victims of domestic violence, and reduce the risk of conflicting orders between civil and criminal cases involving the same intimate partners.\(^{13}\) With all of its domestic violence cases before the same judge, Tulsa County hopes to achieve the goals of offender accountability, victim safety, speedy case resolution, and consistent court orders.\(^{14}\) With the gradual incorporation of civil and family cases onto the IDV docket, an educational Kickoff Week, and carefully selected goals, the new Tulsa IDV Court has a firm foundation on which to build its success.

In the early days of the Tulsa County IDV Court, Kelly Greenough, the Tulsa County IDV Court Director, asked the Research Team to determine a method of measuring the success of the Court.\(^{15}\) In response, the Research Team interviewed domestic violence courts from across the country, read articles written by legal scholars and non-profit research and advocacy organizations, and considered government agencies’ analyses of domestic violence issues. Based on this research, the Research Team determined that four goals stood out as the most important for a domestic violence court: 1) Victim Safety, 2) Offender Accountability, 3) Court Efficiency, and 4) Court Consistency.

This report first explains why the Research Team considers each goal to be important for a domestic violence court to address, then what other domestic violence courts do to address each goal, and finally, offers several recommended steps the Tulsa IDV Court could implement to work toward each goal.\(^{16}\)

Following the section on courts’ goals and recommended steps, this report concludes with an exploration of methods that courts use to measure success, and the method the Research Team believes will help the Tulsa IDV Court as it continues to develop.
DEFINING & EVALUATING SUCCESS

I. DEFINING SUCCESS

Before a court can define success, a court should focus on the goals it intends to accomplish. Goals determine the features of a court as well as the court’s criteria of success. According to the United States Department of Justice’s Office on Violence Against Women (DOJ OVW), goals that domestic violence courts attempt to accomplish can include offender accountability, victim safety, court efficiency, high conviction rates, a coordinated community response to domestic violence, community education, legal advocacy for victims, and a collaborative criminal justice response to domestic violence. Most domestic violence courts have the following features to help meet their goals: (1) case assignment, (2) screening for related cases, (3) intake units and case processing, (4) services for victims, and (5) monitoring for offenders.

For this report, the Research Team analyzed the following four courts named by DOJ OVW as a Domestic Violence Mentor Court: the Brooklyn Integrated Domestic Violence Court, the Dallas County Criminal Court #10, the Ada County Domestic Violence Court, and the Winnebago County Domestic Violence Coordinated Courts. The DOJ named these Mentor Courts to provide resources and guidance to other domestic violence courts across the United States, such as the Tulsa IDV Court. Though each Mentor Court has its own unique solution to addressing domestic violence issues within their courthouses and in their communities, the Mentor Courts have four goals in common. The Research Team suggests the Tulsa County IDV Court work to achieve these four key goals, which include: (1) Victim Safety, (2) Offender Accountability, (3) Court Efficiency, and (4) Count Consistency. The following section of this project report contains a short description of each Mentor Court, including its location, size, and composition. The next section of the report offers analysis of the four key goals. Within each goal, this project report first outlines the features that each Mentor Court uses to achieve the goal and then offers recommendations for Tulsa County’s IDV Court.
A. MENTOR COURTS

1. Brooklyn Integrated Domestic Violence Court

Established as a domestic violence court in 1996 and then fully integrated in 2005, the Brooklyn Court located in Kings County, New York, utilizes a completely Integrated Model similar to what the Tulsa County IDV Court will look like when it adds family cases in 2015.22 The Integrated Domestic Violence Court Model brings all criminal, family, and matrimonial cases between intimate partners with the underlying issue of domestic violence before a single judge to make consistent decisions for the cases’ parties.23 The Brooklyn Court serves Kings County, which has a population of 2.5 million.24 Between 2003 and August 2013, the Brooklyn Court disposed over 19,000 cases involving 3,008 pairs of intimate partners.25

2. Dallas County Criminal Court # 10

Founded in 1996, the Dallas Court was the first domestic violence court in Texas.26 The Dallas Court serves 2.4 million residents living in densely populated areas as well as less-populated suburbs.27 The Dallas Court, unlike the other DOJ Mentor Courts, reviews only domestic violence criminal misdemeanor cases rather than making decisions in conjunction with an offender’s other civil cases.28 With 20 victims last year, Dallas County reported the highest per capita number of women killed by an intimate partner in Texas during 2013.29 The majority of the 20 victims killed in 2013 were shot by a boyfriend or husband.30

3. Ada County Domestic Violence Court

Originating in 2006, the Ada Court in Boise, Idaho, operates as a “fast-track” Integrated Domestic Violence Court to move offenders through the justice system efficiently and get them into domestic violence treatment quickly.31 Handling over 400 active cases a year for a county population of around 300,000, the Ada Court disposes cases within 58 days on average from an offender’s arrest to the offender’s sentencing.32 One judge oversees all the domestic violence-related cases for one pair of intimate partners.33 Idaho has also established integrated domestic violence courts throughout the entire state.34
4. Winnebago County Domestic Violence Coordinated Courts

Created in 2012, the Winnebago Courts are located in Rockford, Illinois and serve over 278,000 residents. The Winnebago Courts are the nation’s first Domestic Violence Coordinated Courts. The Domestic Violence Coordinated Courts Model consists of a civil court and a criminal court that review cases related to intimate partner violence. Both the civil domestic violence court and the criminal domestic violence court communicate with each other in order to make consistent decisions about cases regarding the same intimate partners. From January 2012 to September 2014, the Winnebago Courts heard 1,200 domestic violence cases, 161 divorce cases, and 1,000 requests for an order of protection.

B. The Mentor Courts’ Goals

1. Victim Safety

Victim safety is one of the most important overarching goals of the Mentor Courts and domestic violence courts in general. DOJ OVW specifically works to enhance victim safety and chose its Mentor Courts partially because of the courts’ records of improving victim safety. The Brooklyn Court adopted an Integrated Domestic Violence Court Model specifically to decrease the potential of danger that a web of domestic violence-related cases created for families affected by domestic violence. Dallas County created the Dallas Court to address the high percentage of deaths from domestic violence in its jurisdiction.

Victims of domestic violence often struggle with physical, emotional, and financial injuries during their time in the justice system while they wait for the court to resolve their cases. Courts that adopt strategies to encourage victims to feel and actually be safer can potentially empower victims to move forward to a better life after domestic violence while increasing the likelihood that victims will testify in court against their abusers. Research has strongly suggested that victim cooperation with the justice system during the prosecution of their abusers is a reason that specialized domestic violence courts have higher conviction rates than traditional courts in domestic-violence related cases. Therefore, not only does prioritizing victim safety as a domestic violence court goal empower victims and encourage victims’ physical and emotional healing, but it potentially encourages offender accountability by raising conviction rates. In order to work toward their goal of victim safety, the Mentor Courts have
changed the logistics of their courthouses, hired more victim advocates to work with victims inside and outside of the courtroom, and educated their courthouse judges, attorneys, and staff on domestic violence-related issues.

**a. Courthouse Logistics**

Adjusting the logistics of the courthouse is a simple step toward increasing safety of victims during their domestic violence cases. In a survey conducted by the Center for Court Innovation, victims appearing in domestic violence cases reported that they felt the most vulnerable when parking in a courthouse parking garage and when offenders had access to the victims’ waiting areas in the courthouse.\(^48\) In the Dallas Court, victims wait for their cases in their own waiting room while offenders wait in the hallway, allowing the parties to stay separated. In the civil Winnebago DV Court, parties sit at opposite sides of the counsel table.\(^49\) In the criminal Winnebago DV Court, signs hang in the courtroom directing offenders and victims to sit on separate sides of the room while the bailiffs enforce this separation.\(^50\) Because victims may feel safer when separated from their offenders, the Tulsa IDV Court might consider operating its courthouse to keep victims and offenders separate as much as possible.

Currently, the Tulsa County District Court does not actively separate victims and offenders other than in the protective order courtroom, which directs petitioners to sit at the front of the courtroom and defendants to sit at the back of the courtroom. In the existing Tulsa IDV courtroom, the same procedures would be difficult to enforce because there is no physical barrier or separation between victims and offenders. In addition, the current Tulsa IDV courtroom does not have a separate area for victims to use while waiting to appear before a judge. Ideally, to improve the safety of victims, the Tulsa IDV Court could physically separate victims and offenders from one another in the courtroom and create separate waiting areas for victims and offenders to use while waiting for a judge to hear their cases. Increasing the number of deputies inside the courtroom and in the waiting areas is another option to keep victims safer in the courthouse if complete separation between victims and offenders is not possible.

**b. Victim Advocacy**

Courts also support victim safety by providing victim advocates. There are many types of advocates, but in general, they work with prosecutors, explain the court process to victims,
accompany victims to court, provide safety planning for victims, and address the general needs of victims.\textsuperscript{51} Victim advocates can be employed by the government or by non-profit agencies, but all advocates specifically work to increase victim safety and connect victims to the services they need during their cases.\textsuperscript{52}

DOJ named the Brooklyn Court a Mentor Domestic Violence Court because of its ability to work with the Kings County District Attorney’s domestic violence bureau and connect domestic violence victims to twenty-five on-site organizations with resources to aid those victims.\textsuperscript{53} In that court, most victims attend all hearings and the court employs courtroom advocates to provide referrals to victim services and a courtroom resource coordinator to assign free legal counsel to all victims who qualify.\textsuperscript{54} Studies indicate that the conviction rate of offenders in the Brooklyn Court is higher than in the traditional courts, likely because victims participate more often in prosecutions in this court.\textsuperscript{55} In the Dallas Court, government-employed court advocates receive training for domestic violence cases and review cases before the District Attorney sees the case file.\textsuperscript{56} The Ada Court uses two advocates in its cases – a government advocate and a private advocate.\textsuperscript{57} The Ada Court government advocate guides domestic violence victims through the justice system and communicates with the prosecuting attorney, making the victim more likely to testify against the offender because the victim was educated about the court’s process from the beginning of the case.\textsuperscript{58} At the same time, the private advocate helps the victim access social services.\textsuperscript{59} The Winnebago Courts used a portion of its grant funding to place two victim advocates in the State Attorney’s Office and more staff in the county’s Domestic Violence Assistance Center.\textsuperscript{60}

Currently, in the Tulsa County protective order courtroom, advocates from Domestic Violence Intervention Services (DVIS) sit in the courtroom during each protective order docket as a resource for victims.\textsuperscript{61} At the beginning of each emergency protective order docket, a DVIS advocate speaks to the courtroom filled with petitioners. The DVIS advocate explains to the petitioners the court process for their emergency protective order hearings as well as mentions the victim services that DVIS provides. After each petitioner completes his or her hearing, a DVIS advocate walks out of the courtroom with the petitioner to give the petitioner more information about victim services and safety planning. This system, which is already in place in the protective order docket, could work well in the Tulsa IDV Court.
In addition, as the Ada Court, Winnebago Courts, and independent research have shown, employing victim advocates in prosecutors’ offices also makes a difference for victims. The Tulsa District Attorney’s Office currently uses victim advocates to work with victims to provide support, information about their cases, and referrals to victim services. This system should continue with cases in the Tulsa County IDV Court to help encourage victims to feel safer and more involved throughout their cases.

**c. Justice System Education**

One of the most important aspects of promoting victim safety is educating all members of the justice system on the dynamics of domestic violence. Domestic violence courts in general face the issue of insufficiently educated judges and staff dealing with complex and challenging legal and psychological issues in domestic violence cases. In a recent report to Congress, the DOJ stated that “[u]nderstanding [domestic violence] issues is critical to an effective response to violence against women and to preventing further harm and unintended consequences to victims/survivors.” Educating judges, attorneys, courthouse staff, and law enforcement will improve their responses to domestic violence victims, which ultimately can help keep victims safer by, for example, decreasing victim arrests and increasing court orders that aid victims.

The Brooklyn and Dallas courts employ judges and staff trained in domestic violence and in diverse areas of law. Judge Cañas, the Dallas Court judge, has completed a full batterer’s treatment program in order to understand the domestic violence intervention system. The Ada Court’s probation officers, who monitor the court’s convicted domestic violence offenders, are specially trained in domestic violence, substance abuse, and mental health issues. In the Winnebago DV Courts, judges who preside over the criminal docket attended national training on domestic violence, sexual assault, dating violence, and stalking. In addition, prosecutors, staff, and many other members of the Winnebago County courthouse have participated in domestic violence training conducted by the Family Violence Coordinating Council that addressed domestic violence awareness, how victims and offenders may behave during court cases, and proper methods of handling domestic violence cases.

During the Kickoff Week of the Tulsa County IDV Court, the Court brought in speakers to educate the courthouse and community members about the health impacts of domestic violence and how language shapes the community’s response to domestic violence. These events
are an excellent start to educating the Tulsa legal community, but in order for Tulsa victims of domestic violence to receive the best help from the Tulsa County IDV Court, all Court stakeholders should have an in-depth understanding of the dynamics of domestic violence. More speaking events and trainings would help everyone involved in the Tulsa County IDV Court become fully educated. Many non-profit and governmental organizations that focus on domestic violence issues, such as the Center for Court Innovation and the National Center on Domestic and Sexual Violence, provide programming that the Tulsa IDV Court can use. In addition, the DOJ requires its Mentor Courts to provide resources to other domestic violence courts across the county; Mentor Courts are likely to have training materials or ideas for training the Tulsa IDV Court in domestic violence issues.

2. Offender Accountability

The Mentor Courts and other domestic violence courts value offender accountability with a focus on offenders complying with their sentences and preventing future violence. DOJ has asserted that the “key to reduced recidivism is…sentencing that imposes meaningful sanctions in direct proportion to offender danger.” Existing research supports the DOJ’s position, suggesting that offenders are more likely to comply with the court’s orders when they believe that law enforcement and the court system have treated them fairly. Therefore, domestic violence court judges should be respecting offenders’ due process rights and giving offenders meaningful sentences, as well as enforcing their sentences in order to keep offenders accountable and reduce recidivism.

a. Special Probation & Intervention Programs

The Mentor Courts utilize two separate programs to increase offender accountability: special probation programs and intervention programs. Special probation focuses on monitoring convicted offenders more closely than traditional probation, while intervention programs seek to rehabilitate offenders by encouraging them to take responsibility for their past actions while instilling non-abusive behaviors offenders can use in the future.

The Dallas Court uses special probation in conjunction with an intervention program to hold offenders accountable. The Dallas Court sends convicted domestic violence offenders to a
high-risk offender probation docket in which offenders are required to complete the Battering Intervention and Prevention Program (BIPP) to reduce recidivism.\textsuperscript{77}

DOJ OVW named the Ada Court one of the nation’s Mentor Courts specifically for its supervised probation program and post-sentence judicial monitoring of domestic violence offenders.\textsuperscript{78} The Ada Court orders most convicted offenders to supervised probation with a probation period of two years, which is a longer probation period than in the traditional court system.\textsuperscript{79} The Ada Court reviews offenders periodically during their probation, and the length between each review is dependent upon offenders’ level of progress with their probation.\textsuperscript{80} An offender is required to appear before the Ada Court for review every 30, 60, 90, or 120 days.\textsuperscript{81} In addition, a standard term of domestic violence offenders’ probation is that offenders must attend an Offender Accountability Group meeting at least once a month in order to give offenders a positive mentoring opportunity for each other as their sentences progress.\textsuperscript{82} When offenders do not comply with their sentences, the Ada Court uses Discretionary Jail Time (DJT). Used in most Ada cases, DJT can immediately send the non-compliant offender to jail for up to 90 days without filing a new charge of probation violation.\textsuperscript{83}

The Ada Court uses DJT to ensure non-compliant offenders experience immediate sanctions to reinforce the importance of offender accountability.\textsuperscript{84} DJT can also potentially increase victims’ sense of safety given that the court will hold their offenders accountable for non-compliance.\textsuperscript{85}

The Winnebago Courts are actively involved with Partner Abuse Intervention Programs (PAIP) providers to increase offender accountability.\textsuperscript{86} In the Winnebago Courts, judges often sentence convicted domestic violence offenders to complete PAIP, whose providers meet bi-monthly with the Winnebago Courts’ Case Docket/Resource Coordinator, to notify her of the offenders’ compliance.\textsuperscript{87} More recently, the Winnebago Courts have implemented an online program that allows PAIP providers to view new arrests and crimes the offenders committed while participating in PAIP, and allows providers to report which offenders are not participating in PAIP or complying with their court orders.\textsuperscript{88} It appears that the courts’ active involvement with PAIP providers has led to more judges sentencing offenders to PAIP and offenders completing PAIP.\textsuperscript{89} In addition, when a Winnebago judge sentences a domestic violence offender to probation, the Probation Department intensively supervises offenders while working collaboratively with PAIP providers, the Winnebago Courts, and the Winnebago County State’s
Probation supervisors also receive specialized training in domestic violence issues, and they are participants in the local Family Violence Coordinating Council. Because studies have shown that increasing offender accountability is likely one of the best ways to reduce recidivism, Tulsa’s new criminal domestic violence misdemeanor monitoring process is a great step toward success. While Tulsa County has statutory limitations that prohibit the use of probation when a convicted offender is not subject to the supervision of the Department of Corrections (few convicted domestic violence offenders are sent to prison), Tulsa County must have some kind of a compliance officer to monitor compliance. The Tulsa IDV Court’s new two-stage monitoring process of working with Court Services is a good initiative in this direction. In this initiative, Court Services, a law enforcement agency, will first provide six months of aggressive pre-trial monitoring, in addition to regular court reviews, during the deferred sentence for misdemeanor domestic violence offenders who enter a plea of guilty. Then, if offenders are compliant with this program after six months, the judge will formally sentence the offenders, the Court Director’s office will monitor the offenders’ BIP progress, and the Court will hold regular judicial reviews. One recommendation that could potentially improve this new process is to increase the frequency of the Court’s regular judicial reviews that check offenders’ compliance with the Court’s orders. As seen in the Ada Court, which reviews cases every 30, 60, 90, or 120 days, and the Dallas Court, which continuously monitors offenders with a specially trained probation officer, Tulsa could continue to improve its new monitoring program and work toward the goal of offender accountability by frequently reviewing offenders’ compliance.

In addition, using the DJT method is a possible way to enforce the Tulsa County IDV Court’s sanctions on offenders. However, any court that implements the DJT model must ensure that offenders have meaningful notice of the consequences of their sentence and that offenders’ due process rights are protected.

Tulsa County used batterers intervention programs (BIP) to increase offender accountability before it established the IDV Court, and consistent communication between BIP providers and the IDV Court could further improve offender accountability. Like in the Winnebago Courts, a member of the Tulsa County IDV Court could physically meet periodically with BIP providers to discuss the compliance of offenders in the BIP program. While the Winnebago Courts’ computerized monitoring method could be too difficult to implement in the
Tulsa IDV Court, which does not use online filing, verbal conferences between BIP and the Tulsa IDV Court could be a useful and realistic method of holding offenders accountable. The Tulsa IDV Court’s new offender monitoring program, where the Court Director’s office monitors BIP compliance weekly, is consistent with other domestic violence courts’ monitoring programs, and indicates that the Tulsa IDV Court is moving in a positive direction regarding offender accountability.

b. Firearm Surrendering Programs

The Dallas Court takes a unique approach to ensuring that offenders are accountable for complying with federal law that prohibits convicted domestic violence offenders from possessing firearms. Judge Roberto Cañas, the Dallas Court’s only judge, has championed requiring convicted domestic violence offenders to surrender their guns. Judge Cañas requires that convicted offenders bring written proof to court that they no longer possess firearms. Judge Cañas considers this requirement to be a perfect example of increasing offender accountability while making victims safer. In addition, Judge Cañas reported that since Dallas established its numerous methods of keeping offenders accountable, including specialized probation and the firearm surrender initiative, recidivism in Dallas has decreased.

In 2012, 39 women were murdered by a male in Oklahoma, and 68% of the murderers whose weapons could be identified used a gun to kill their victims. This year, ten women were killed by their spouse in Tulsa. Requiring that offenders provide proof of surrendering their firearms could be an efficient, effective way to hold offenders accountable and make victims safer. To implement the program, offenders would have to show written proof, such as a bill of sale, that the offender did not possess any firearms after his or her conviction. Though additional court appearances may place an additional burden on the Court’s docket, offenders may be much more likely to comply with the federal firearm prohibition statute if they understand the Court will monitor compliance. In addition, implementing a firearm surrendering program keeps firearms out of the hands of the offenders who could use a firearm against their victims.

c. Respecting Offenders’ and Victims’ Due Process Rights

While the Mentor Courts focus more on keeping victims safe and offenders accountable, attorneys who protect offenders’ due process rights are also key players in domestic violence
courts. Rather than the traditional adversarial system, Integrated Domestic Violence Courts use a more “problem solving” approach to achieving justice, which can drastically change the role of defense attorneys in IDV courtrooms. In this modern “problem solving” judicial system, defense attorneys may adopt a more collaborative approach to work with prosecutors and judges to address the totality of the domestic violence situation involving both the offender and the victim. While a collaborative defense attorney may help his or her client get a sentence involving domestic violence treatment or other therapeutic treatment so that the client stays out of jail, an overly collaborative attorney may hinder an offender’s due process rights when the attorney does not aggressively assert the client’s rights and interests. The justice system in general also has a potential problem with addressing victims’ due process rights because victims in domestic violence criminal cases do not have attorney representation. Studies have noted that there is an inherent conflict between victims and State attorneys because though State attorneys hold victims’ offenders accountable during prosecution, the State does not represent victims. No confidentiality exists between State attorneys and victims, which could endanger victims if offenders hear of victims’ communications with the State and choose to take retaliatory action. Expanded use of victim advocates inside the State’s office and the courtroom could help to give victims a voice in their cases; while respecting offenders’ due process rights can make offenders respect their sentences because they could feel that the justice system treated them fairly. To potentially help defense attorneys adjust to the new IDV Model, the Tulsa IDV Court could host trainings for local defense attorneys and public defenders to educate the Defense Bar on methods to zealously advocate for their clients and preserve their due process rights while collaborating with the judges and State when needed to reach the best agreements to keep offenders accountable and victims safe.

3. Court Efficiency

Court efficiency, for example “reduction of case processing time, waiting time, days of missed work, and trips to court,” is important to one of the Mentor Courts in order to help victims and offenders see their case resolve quickly and fairly. The Ada Court uses a fast-track model to resolve cases quickly so that offenders can enter treatment and victims can begin reconstructing their lives sooner than in a traditional court model. Within one week of a domestic violence offender’s arrest, the offender appears in front of the Ada Court for a pre-trial
conference and the case as a whole completely resolves within forty-five to sixty days following the arrest.\textsuperscript{115}

However, not all courts value a quick resolution to domestic violence-related cases. The Brooklyn Court cases take, on average, twenty-three days longer to process than cases in a traditional court.\textsuperscript{116} The Brooklyn Court values its other goals of offender accountability, victim safety, and court consistency so highly that allowing its case processing time to take longer is a necessary drawback to achieving its other goals with its high-volume IDV docket.\textsuperscript{117} The Dallas Court also does not focus on speed of case disposition.\textsuperscript{118} Its average disposition time is 6-9 months, but its conviction rate is about 95\% while recidivism has drastically dropped for offenders who accept probation or a pre-trial diversion program involving BIPP.\textsuperscript{119} The Winnebago Courts do not track the average time they take to resolve a case because the courts’ goals focus on keeping offenders accountable and victims safe, two goals that can take time.\textsuperscript{120}

Since only one out of the four Mentor Courts values a short disposition time to resolve its cases, court efficiency may not be quite as important as achieving the goals of offender accountability and victim safety. However, parts of the Ada Court fast-track system could be useful in the Tulsa IDV Court. If a domestic violence offender appears before the Court within one week of his or her arrest, cases could become more efficient without sacrificing the time the judge needs to make the best decisions to keep the offender accountable and the victim safe. Starting a case quickly but not solely focusing on the length of a case may be a good compromise system for Tulsa because it combines the best ideas for court efficiency, offender accountability, and victim safety from all the Mentor Courts.\textsuperscript{121}

4. Court Consistency

The Mentor Courts that utilize an Integrated Domestic Violence Court Model or a Domestic Violence Coordinated Courts Model chose these models, in part, to create more consistency between all the court orders that affect intimate partners.\textsuperscript{122}

a. The Integrated Model

The Integrated Domestic Violence Court Model is distinguished from other specialized court models by its one family/one judge approach to domestic violence-related cases.\textsuperscript{123} In this model, one judge handles all criminal and family cases, including child custody and protective
orders, between intimate partners in order to increase victim safety and offender accountability. The main benefit of the Integrated Model is the consistency of court orders that comes with one judge deciding all domestic violence cases between the same intimate partners. A drawback of fully integrating a domestic violence court is the major overhaul a court has to undergo in order to create a functioning Integrated Domestic Violence Court with both civil and criminal cases on the same docket. Convincing the many court stakeholders to lend enthusiastic support to such a large project is a vital, yet likely difficult to achieve, component of creating a successful IDV court. Another possible drawback of putting civil and criminal cases in front of the same judge is the difficulty of balancing civil and criminal procedures and remedies with offenders’ due process rights and victims’ needs.

The Brooklyn Court and the Ada Court report that placing the cases before a single judge creates consistency in judicial orders, better responsiveness to each family’s unique circumstances, and is cost-effective for the court. The Brooklyn Court schedules a domestic violence offender’s related cases for appearances on the same day to improve the consistency of court orders. The Ada Court recognizes that judges who decide family cases also need to decide parties’ domestic violence cases so that visitation and custody terms do not become tools of coercion that result in unsafe civil agreements.

b. The Coordinated Model

Domestic Violence Coordinated Courts keep civil and criminal courts separate from one another like a traditional court, but use case association to keep the civil and criminal judges informed about domestic violence related cases between the same intimate partners. The benefit of a Coordinated Courts Model over an Integrated Courts Model is that a new domestic violence court does not have to change its procedures radically to mix civil and criminal dockets in the same courtroom. The Coordinated Courts Model allows judges to be informed about the intimate partners’ other domestic violence-related cases to make consistent decisions regarding families while allowing traditional courts to make a smooth transition to a specialized domestic violence court. A potential drawback of the Coordinated Courts Model is that court orders may not be as consistent as in the Integrated Court Model because civil and criminal courts communicating with one another may not be an equivalent substitute for one judge deciding all the domestic violence cases involving the same intimate partners.
Since the Dallas Court only works with criminal cases, it needed a procedure to ensure that its judges receive relevant information about offenders’ other domestic violence-related cases to make well-informed, consistent decisions.\textsuperscript{131} To address this issue, the Dallas Court created a grant-funded position whose responsibility is to review new cases for red flags as they come into the court while ensuring that offenders comply with any pre-trial conditions imposed by the judge.\textsuperscript{132} If a case has facts or other court orders that require immediate judicial intervention, the case is pushed to the top of the docket.\textsuperscript{133}

The Winnebago Courts use a Coordinated Courts Model, as distinguished by its criminal and civil courts “talking” to each other about all the domestic violence cases concerning one family, which results in consistent court orders that families can more easily follow than potentially conflicting orders that are likely to happen when a court does not associate cases concerning the same intimate partners.\textsuperscript{134}

c. The Tulsa County IDV Court Model

Tulsa County chose the Integrated Domestic Violence Court Model to combat domestic violence and ensure consistent court orders in Tulsa, Oklahoma.\textsuperscript{135} Compared with the Coordinated Courts Model, the Integrated Model of one judge deciding all the domestic violence-related cases between the same intimate partners should result in the most consistent orders since the judge would have all the cases and facts before him or her in the courtroom rather than relying on another judge’s report of the partners’ other cases. Despite this, the Tulsa County IDV Court might also consider criticisms regarding the Integrated Model and chose to address these critiques as the Tulsa IDV Court continues to develop. Critics of the Integrated Model seem most concerned with courts diluting the traditional adversary system and potentially sacrificing offenders’ due process rights in order to keep victims safe.\textsuperscript{136} Since offenders are more likely to comply with court orders when they feel that the justice system treated them fairly and because due process is a central tenet of our justice system, the Tulsa County IDV Court might consider taking steps to ensure offenders’ due process rights such as encouraging parties to seek counsel educated in domestic violence issues and conducting full evidentiary hearings on both the offenders’ criminal cases and civil cases.\textsuperscript{137} In addition, focusing more on offenders’ due process rights could make the Defense Bar more receptive to Tulsa County’s adoption of an IDV Court Model.\textsuperscript{138}
At the time of this writing, Tulsa County had not fully integrated its domestic violence court, and it still has the opportunity to create the best court possible to address domestic violence in Tulsa. As the Court continues to develop, it can consider the Research Team’s recommendations for improvement based on the practices of the nation’s Mentor Courts, government agencies, and academic studies. The above recommendations and factors that contribute to court success can help the Tulsa County IDV Court as it decides on the best path forward.
II. EVALUATING SUCCESS

“Ongoing data collection and evaluation are necessary to improve the court’s and community’s response to domestic violence, offer feedback, and hold project partners accountable.”139

Being the first of its kind in Oklahoma, the new IDV Court in Tulsa County faces many challenges and choices in its progress toward reducing domestic violence. This section on evaluating success offers information and recommendations to guide the Court in creating a method of evaluation for the Court to monitor progress, assess the challenges it faces, and determine the effectiveness of its choices. Creating a process for evaluating the success of an integrated domestic violence court is a challenging endeavor due, in part, to the uniqueness of each court’s goals, structure, and available resources. The Center for Court Innovation has published several reports evaluating IDV courts’ success across the nation and offers an individualized “performance measure tool for Domestic Violence Courts that [help to] evaluate outcomes in the areas of victim safety, case process, offender accountability, and interaction with community agencies.”140

In Components of a Domestic Violence Court, Emily Sack suggests universal evaluation guidelines, including what she coins, “a sample of useful program measures,” stating that a court must track its progress through data collection to evaluate success.141 Such data collection should be uniform, using consistent language and standardized forms to monitor and analyze outcomes. Sack suggests evaluation of the following:

• Criminal domestic violence case volume by type, including cases heard in the designated domestic violence court and those ending up in other courts
• Percentage of victims who have contact with advocates and types of referrals received
• Domestic violence arrests, as opposed to criminal domestic violence cases filed, by type, or reason for arrest
• Arrest rate for offenders who flee the scene of a domestic violence incident
• Percentage of dual arrests and female arrests
• Percentage of arrests resulting in prosecutions and relationship between top charge at arrest and top charge prosecuted
• Dismissal rates
• Sentencing outcomes, including court-imposed conditions
• Recidivism rates
• Compliance with court-ordered mandates, such as participation in batterers’ intervention programs, and sanctions imposed for failures to comply
• Domestic violence fatalities
• Percentage of temporary civil protective orders resulting in final orders
• Percentage of protective order cases dismissed because of non-appearance by petitioners, and percentage of cases where outreach to petitioners was attempted
• Percentage of protective order cases in which respondent is served by time of first appearance for hearing
• Percentage of protective order violations charged criminally

Sack also recognizes that courts may need to improve their data collection, which may require a designated person to take on the task of data collection and institute regularized reporting. ¹⁴²

Courts utilize quantitative, qualitative, and mixed method approaches to evaluate success. Qualitative approaches primarily include observation, interviews, and surveys.¹⁴³ Quantitative methods include data comparison of case management information systems.¹⁴⁴ Mixed method approaches involve both qualitative and quantitative methods of data collection.¹⁴⁵

A. Quantitative Approaches

Allowing courts to assess large amounts of information, quantitative approaches serve an integral function of the evaluation process.¹⁴⁶ Quantitative approaches involve a process of measurement, allowing courts to strive toward a tangible goal. For example, a court may conduct quantitative research and determine that eight percent of offenders reoffend between the initial arrest and case disposition in a domestic violence case. That information enables the court to set the tangible goal of a reduction in re-offenses. Quantitative data can only go so far in the evaluation process because there are attributes of a successful court that cannot be measured. Still, quantitative data can be used to determine each of Sacks’ program measures.

A study published by the Center for Court Innovation evaluated quantitative outcomes of case processing, case dispositions, subsequent case filings in family court cases, and re-arrests in
criminal court cases, addressing all of the Mentor Courts’ goals. Another study examined: (1) the number of court appearances of the victim and the offender, including the number of scheduled appearances; (2) the time it took to complete the case, including the time from case initiation to disposition, and the case initiation to final court appearance; (3) the number of trips to court, specifically asking whether same-day scheduling resulted in fewer total trips to court for families; (4) family court dispositions, including the way in which the cases were resolved and whether the disposition varied by the type of family case; (5) the number of subsequent family court filings in the six months after the initial family case was adjudicated; (6) criminal court dispositions, including the way in which the criminal cases were resolved; and (7) subsequent criminal activity, including violations of protective orders while the initial criminal case was pending or in the six months after the initial case was disposed.

Court efficiency is predominately evaluated through quantitative outcomes. The Center for Court Innovation published a report evaluating, in part, court efficiency in nine New York State IDV Courts by examining case processing and dispositions. Using quantitative data solely from case management systems, the report compared data before the inception of the court to data afterward, specifically determining whether family cases in IDV court were more likely to be settled or withdrawn, took longer to reach disposition, or required more court appearances; and whether criminal cases differed in their dispositions or sentences, lead to greater re-arrests, or took longer to reach disposition.

Quantitative data is primarily conducted through data collection from case management systems. For example, New York courts collect information from IDV Application, the Universal Case Management System, and the New York State Division of Criminal Justice Services. The IDV Application is a case management system that tracks cases transferred to the IDV court, which typically consists of (1) litigant names and common family identifiers; (2) court appearance information, including dates, attendance, reason for adjournment, and name of judges; (3) the court of origin and type of case; (4) criminal charges; (5) state of the case; (6) appearance and final disposition; and (7) requirements the court imposes on the offender including probation, program mandates, and compliance information. The Universal Case Management System tracks family court cases throughout New York, providing defendant identifiers, including name, date of birth, and state identification number; litigant information, including the names of respondent and petitioner, and the roles of each; the type of petition;
information on family court orders; information regarding court appearance, including dates, courtrooms, and judges; and any final dispositions. The New York State Division of Criminal Justice Services (DCJS) provides defendant demographics, including age, race, sex, and place of birth; charges; dispositions; sentences; and re-arrest data up to one year after disposition of the IDV case. New York’s Civil Case Information System (CCIS) tracks matrimonial actions including the names of litigants, the date of filing, name of the judges, the final disposition, and court dates.

The primary challenge for the Tulsa County IDV Court with regard to quantitative data collection is that it is currently limited to collecting data from OSCN, OCIS, and the Court’s case manager. Recognizing the importance of evaluation, the Director of the Tulsa County IDV Court contacted the Community Advocacy Clinic with the goal of determining a way to evaluate the progress of the Court, and she hired a case manager. The Research Team gathered quantitative data from 110 criminal domestic violence cases from January and February 2013, creating an evaluation process tailored to collecting data from OSCN and recording its methods of data collection for replication of the process.

While the Research Team collected a significant amount of data, it was limited to the type of data it could collect, because the State of Oklahoma’s court case management systems are not as comprehensive as in New York. For example, in Tulsa County, in order to determine whether a victim in a criminal domestic violence case was a victim in a previous criminal domestic violence case filed against the same defendant, the data collector must conduct a separate search on OSCN for previous cases using the defendant’s name, and access the T.R.A.C.I.S. report or probable cause affidavit in each case to find the name of the victim; whereas in New York, previous cases would appear through the DCJS system. As another example, OSCN does not record the number of victim appearances in criminal domestic violence cases. This limitation makes quantitative data collection challenging because it limits the type of information that can be collected from OSCN, and it is time consuming.

B. Qualitative Approaches

Qualitative approaches, such as surveys or interviews, are helpful to gather information that cannot be measured in terms of numbers, or where quantitative data collection is not feasible because the state or county does not have a case management system. While quantitative
approaches may reveal some data about victim safety, for example, offender recidivism clearly relates to victim safety and can be measured quantitatively, qualitative approaches can offer a clearer picture regarding victims’ personal sense of safety and may capture experiences and perspective that do not appear in case data.

Victim safety, perhaps more so than other court goals, lends itself to qualitative data. For example, the Center for Court Innovation conducted an evaluation of victim safety in the Suffolk County Integrated Domestic Violence Court through court stakeholder interviews, including IDV Court judges, the resource coordinator, the project director, the IDV court clerks, the prosecutor, the guardian, victim advocates, and several attorneys who appeared regularly in the court. Interviewees were asked, among other things, about factors that influence victim safety, including: (1) the physical layout of the courtroom, such as the proximity of the offender to the victim; (2) court staffing; (3) case eligibility criteria; (4) case screening and transfer protocols; (5) case calendaring; (6) case management and data entry; (7) advocacy services and safety measures; (8) court mandate of batterer and other programs; and (9) the perceived purpose of and relative benefits of the IDV court.\(^{153}\)

As explained by the Center for Court Innovation’s *The Impact of Integrated Domestic Violence Courts on Case Outcomes*, the Vera Institute of Justice published a qualitative evaluation examining the effectiveness of the IDV court by interviewing fourteen victims of domestic violence.\(^{154}\) The interviewees provided information as to whether they had an opportunity to convey their experiences in court, their relationships with their attorney, the judges’ responsiveness to their concerns, the role of the prosecutor and victim advocates, and the physical layout of the court, which led to a greater sense of safety. In terms of quantitative data, victim safety is typically evaluated by looking at offender recidivism and post-disposition monitoring of offenders, which are readily available through case management systems.\(^{155}\)

Surveys are another helpful method of qualitative data collection, particularly in evaluating stakeholder attitudes towards the court. Through surveys, a report published by the Center of Court Innovation evaluating court efficiency and information sharing found that litigants in the Yonkers IDV court felt that having all of their cases in one court was logistically easier to get information to and from the court than before the IDV court.\(^{156}\) In another study in Yonkers, the Center for Court Innovation designed surveys for the court “to examine perceptions of both complaining witnesses/victims and criminal defendants across four domains: procedural
fairness, interactions with judge and attorneys, case processing, and case outcomes.” 157 The benefit of a survey is that it provides an easy way to collect the information; however, it is limited in terms of the depth of the responses, because it does not allow the provider of the information to explain the answer fully.

C. MIXED METHOD APPROACHES

A number of studies utilized a mixed method approach, which includes quantitative data and qualitative data. “Mixed method designs have the capacity to provide both scope (quantitative) and depth (qualitative). 158 Creating a “national portrait” of domestic violence courts, the Center for Court Innovation employed the mixed method approach to compare qualitative data, namely interviews with stakeholders and open-ended survey questions, to quantitative data. The mixed method approach aided the Center in better interpreting the quantitative findings by adding a level of specificity and examples. 159 As another example, The Erie County Integrated Domestic Violence Court: Policies, Practices, and Impacts evaluated offender accountability through qualitative and quantitative methods, particularly data interviews and observations. 160

Because data collection is important to the Court’s success, the Research Team recommends that the Tulsa County IDV Court utilize a mixed method approach to evaluating the Court’s progress. The challenges and limitations of collecting quantitative data through OSCN provide greater support for use of a mixed method approach, by supplementing quantitative data with qualitative methods of evaluation. With funding and support, the Court can develop and conduct an ongoing mixed method evaluation plan. Accordingly, the Research Team recommends that the IDV Court allow the Community Advocacy Clinic to assist it in researching case management systems, such as the IDV Applications in New York, contact the Center for Court Innovation for support, and explore the availability of funding through the DOJ, or other institutions. The Research Team further suggests that in the spring semester of 2015, the Court ask the Community Advocacy Clinic to create a structured survey, or other qualitative evaluation method, for victims of domestic violence.
CONCLUSION AND SUMMARY OF RECOMMENDATIONS

The Research Team commends the judges, lawyers, community members, and institutions dedicated to reducing domestic violence by bringing the first integrated domestic violence court in Oklahoma to Tulsa County. To assist the Court in furthering its progress, the Research Team makes the following recommendations:

1. **Hire Compliance Officers**: Compliance officers can monitor offenders’ compliance with the Court’s orders outside of the courtroom to help keep offenders accountable between court reviews.

2. **Adopt a Sophisticated Case Management System**: In order for the Court to collect accurate data regarding its case processing time, recidivism rates, and more, the Court should adopt a sophisticated case management system while using consistent court reporting.

3. **Communicate with Batterers Intervention Program Providers**: A coordinator who regularly communicates with BIP providers regarding offenders’ progress in the program and compliance with the Court’s orders can help the Court increase the accuracy of reporting on offenders’ compliance and increase offender accountability.

4. **Increase Victim Access to Advocates**: Making victim advocates from local domestic violence agencies, such as DVIS, available in the courtroom and employing victim advocates to serve as a liaison between the District Attorney’s Office and victims can address victim safety by keeping victims more involved in their cases. Advocates can help connect victims to local victim services, keep victims apprised of the status of cases, and help with safety planning. The Court can continue to improve victim safety by allowing access to advocates, as studies have shown that advocacy correlates with greater victim participation in prosecutions and higher conviction rates, which effects both offender accountability, court efficiency, and court consistency.

5. **Educate Court Stakeholders**: Education on domestic violence issues may help judges, attorneys, and court staff make informed decisions in domestic violence cases and improve interactions with victims and offenders. Education might include domestic violence speakers and trainings. The Tulsa County IDV Court Kickoff Week was a step in the right direction in educating stakeholders (and the community at large) about the new IDV Court. To continue this progress, the Court can educate all stakeholders in the IDV Court, including attorneys, prosecutors, public defenders, and private attorneys.

6. **Improve Courtroom Logistics**: The Court should consider victim safety within courtrooms, in the courthouse and in the courthouse parking lot. Victims in Tulsa may be more likely to show up for court appearances if they feel safe in the parking garage on their way to court, if they do not have to sit in the same waiting area as the offender; and
if they do not have to sit near the offender in the courtroom. For example, the Court could use a courtroom with a partition to separate the parties or employ extra deputies to encourage separation.

7. **Use Quantitative and Qualitative Data to Determine Success**: Evaluation is essential to the progress of the Court, as the Court recognized when it contacted the Community Advocacy Clinic for assistance in creating a snapshot of pre-IDV Court cases in Tulsa County and recommending methods of assessing progress. Because the Court’s current quantitative data is limited, the court can supplement quantitative data with qualitative data, which reveal opinions, feelings, and ideas that numbers cannot provide. As compared to other case management systems, Oklahoma’s OSCN is very limited in terms of the type of information collected. A case management system, like New York’s IDV Application, would provide the Court with a way to collect and organize data. The best method of determining success is a mixed method approach of comparing quantitative court statistics with qualitative victim, offender, and court player surveys and interviews to determine the overall success of the Court.

8. **Implement a Firearm Surrender Program**: Making convicted domestic violence offenders prove that they have surrendered their firearms in compliance with 18 U.S.C. § 922(g)(9) could keep offenders accountable to federal law that prohibits domestic violence offenders from possessing firearms and help keep victims safer from their offenders using firearms against them.

9. **Consider Offenders’ Due Process Rights**: Offenders are more likely to comply with court orders when they feel that the justice system treated them fairly. Therefore, the Court might consider recommending that offenders seek counsel educated in domestic violence issues and conduct full evidentiary hearings on both the criminal and civil cases to ensure offenders’ due process rights and encourage offender accountability.

10. **Establish Discretionary Jail Time for Incompliant Offenders**: While an extreme measure, establishing a program that immediately sends incompliant offenders to jail might help keep offenders accountable and victims safe from offenders who refuse to comply with the Court’s orders. However, the Court must fairly warn offenders during sentencing that they will go to jail if they are not compliant with the Court’s sentence in order to protect offenders’ due process rights and encourage fair treatment of offenders.
ENDNOTES


3 Interview with Kelly Greenough, DV Court Director, Tulsa County Integrated Domestic Violence Court (Sept. 9, 2014) [hereinafter “Greenough”].

4 Id.

5 Nationwide, supra note 2.

6 Id.

7 Id.

8 Id.

9 Greenough, supra note 3.

10 Integrated Domestic Violence Court, TULSA COUNTY DISTRICT COURT (2014), http://www.tulsacountydistrictcourt.org/accountability_courses.html [hereinafter “IDV Court”].

11 Greenough, supra note 3.

12 Id.

13 Id; IDV Court, supra note 10.

14 Greenough, supra note 3.

15 Id.

16 See also EMILY SACK, CREATING A DOMESTIC VIOLENCE COURT: GUIDELINES AND BEST PRACTICES 3 (2002) (“Domestic violence courts are still in their infancy. Just as policies designed to improve law enforcement or prosecutor responses continue to be reviewed and refined, domestic violence courts must continue to be evaluated and to evolve, as our understanding of effective response grows…The active and ongoing collection and analysis of data – measuring outcomes and process, cost and benefits – are crucial tools for evaluating the effectiveness of operations and encouraging continuous involvement.”); Civil Domestic Violence Courts: Key Principles, CENTER FOR COURT INNOVATION, http://www.courtinnovation.org/sites/default/files/documents/DV_Civil_Fact_Sheet.pdf [hereinafter “Key Principles”].


20 Nationwide, supra note 2; Jeff Kolkey, Winnebago County Domestic Violence Courts Name Model for County, ROCKFORD REGISTER STAR (Sept. 29, 2014), http://www.rrstar.com/article/20140929/News/140929286#ixzz3HT1g07uG.

21 Nationwide, supra note 2; IDV Court, supra note 10.


23 Integrated Domestic Violence Courts, supra note 22.

24 Id; Nationwide, supra note 2.

25 Nationwide, supra note 2.

26 Id.

27 Id.

28 See id.

Id.


Harper, supra note 31, at 20; Mentor Courts, supra note 31.

Mentor Courts, supra note 31.

Amber Moe, State Court Director, Idaho Domestic Violence Courts (Oct. 22, 2014) [hereinafter “Moe”].


17TH JUDICIAL DISTRICT, supra note 35, at 13.

Id.; Leann Duncan, Case Docket/Resource Coordinator, Winnebago County Domestic Violence Coordinated Courts (Nov. 4, 2014) [hereinafter “Duncan”].

17TH JUDICIAL DISTRICT, supra note 35, at 13; Duncan supra, note 37.


Julie Weber, *Domestic Violence Courts: Components and Considerations*, 2 JOURNAL OF THE CENTER FOR FAMILIES, CHILDREN & THE COURTS 23, 26 (2000); Duncan, supra note 37; Moe, supra note 34; E-mail from Roberto Cañas, Judge, Dallas County Criminal Court #10 (Nov. 13, 2014) (on file with author) [hereinafter “Cañas”]; *Integrated Domestic Violence Courts*, supra note 22.

DOJ, supra note 18, at 6; Nationwide, supra note 2.

*Integrated Domestic Violence Courts*, supra note 22.

See generally Mervosh, supra note 29.

DOJ, supra note 18, at 34.


*PETERSON*, supra note 22, at 3.

Id.; DOJ, supra note 18, at 34.

*LABRIOLA*, supra note 17, at 50.

Duncan, supra note 37.

Id.

*LABRIOLA*, supra note 37, at 48.

Id.

Nationwide, supra note 2.

*PETERSON*, supra note 22, at 2.

Id. at 3.

Cañas, supra note 40.

Moe, supra note 34.

Id.

Id.

17TH JUDICIAL DISTRICT, supra note 35, at 13; Duncan, supra note 37.


DOJ, supra note 18, at 34; Moe, supra note 34; Duncan, supra note 37.


*LABRIOLA*, supra note 37, at 71.

UNITED STATES DEPARTMENT OF JUSTICE, supra note 18, at 23.

Id. at 23-24; *LABRIOLA*, supra note 37, at 71.

*Integrated Domestic Violence Courts*, supra note 22; Cañas, supra note 40.

*HARPER*, supra note 31, at 11.
Criminal Defense Paradigm

http://www.newson6.com/story/27322353/tulsa
out of 34 women were shot and killed by a man in Oklahoma during 2012).


Cañas, supra note 40.

Nationwide, supra note 2; Domestic Violence Court Compliance Monitoring, CENTER FOR COURT INNOVATION, http://www.courtinnovation.org/sites/default/files/documents/dvcompliance_monitoring.pdf ("Judicial monitoring is one of the cornerstones of the domestic violence court model and can help courts work toward victim safety and offender accountability, including compliance with court orders.").

HARPER, supra note 31, at 11, 28.

Id. at 10.

Id. at 12.

Id. at ii.

Id. at 29.

Id. at 37.

Duncan, supra note 37.


Id.

Id.

Adult Probation Units, supra note 83.

Id.

OKLA. STAT. tit. 22 § 991a(E).

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Id.

HARPER, supra note 31, at 10; Cañas, supra note 40.

HARPER, supra note 31, at ii.

Duncan supra, note 37.

Id.


Id.

Cañas, supra note 40.

Id.

VIOLENCE POLICY CENTER, WHEN MEN MURDER WOMEN: AN ANALYSIS OF 2012 HOMICIDE DATA 13 (2014) (23 out of 34 women were shot and killed by a man in Oklahoma during 2012).


Tamar M. Meekins, “Specialized Justice”: The Over-Emergence of Specialty Courts and the Threat of a New Criminal Defense Paradigm, 40 SUFFOLK U. L. REV. 1, 23-24, 35-36 (2006); Rebecca Fialk & Tamara Mitchel,

107 Meekins, supra note 107, at 36-37; Fialk & Mitchel, supra note 107, at 172-73.

108 Meekins, supra note 107, at 36-37.

109 Fialk & Mitchel, supra note 107, at 175.

110 Id.

111 Id. 180-81.


114 Id. at 10.

115 Id.; Peterson, supra note 22, at 2.

116 Cañas, supra note 40.

117 Duncan supra, note 37.

118 Id.; Harper, supra note 31, at 10; Peterson, supra note 22, at 2; Cañas, supra note 40.

119 Integrated Domestic Violence Courts, supra note 22; Duncan supra, note 37; Moe, supra note 34.

120 Id.

121 Harper, supra note 31, at 13-14; Mentor Courts, supra note 31; Moe, supra note 34.

122 Id.; Peterson, supra note 22, at 2.

123 Id.

124 Duncan supra, note 37.

125 Id.


127 Id.; Peterson, supra note 31, at 2-20; Cañas, supra note 40.

128 Duncan supra, note 37.

129 Id.

130 Id.

131 Cañas, supra note 40.

132 Id.

133 Id.

134 Duncan supra, note 37.

135 Id.; Peterson, supra note 22, at 2-20; Cañas, supra note 40.

136 Meekins, supra note 107, at 36-37.

137 Id.; U.S. Const. amend. V; Epstein, supra note 75, at 1882-93; see also MacDowell, supra note 127, at 113.


139 Id.

140 Id.

141 Id.

142 Id.

143 Id.

144 See e.g., Katz & Rempe, The Impact of Integrated Domestic Violence Courts on Case Outcomes, Results for Nine New York State Courts (2011).


147 Id.

148 Cissner, Picard-Fritsche, & Puffett, supra note 145, at 22.
See also Jaclyn Hovda, The Efficacy of Idaho’s Domestic Violence Courts: An Opportunity for the Court System to Effect Social Change, 48 Idaho L. Rev. 587, 602 (“Efficiency refers to how quickly an offender is moved from arrest to treatment; generally it is thought that ‘faster’ equals ‘better.’”).

Cissner, Picard-Fritsche, & Puffett, supra note 145, at 19.

Id.

Id.

Id.

Katz & Rempel, supra note 144, at 1.

Sarah Picard-Fritsche, Amanda B. Cissner, and Nora Puffett, The Erie County Integrated Domestic Violence Court Policies, Practices, and Impacts vi (2011) (“Post-disposition court monitoring, a recommended practice for increasing defendant accountability in criminal cases, is implemented more frequently in IDV court [in Erie County], potentially resulting in greater victim safety during the post-disposition period.”).

Cissner, Picard-Fritsche, & Puffett, supra note 145, at 8.

Picard-Fritsche, supra note 114, at iii (stating that assessing litigant perspectives is important because “[a] 2008 study conducted in Lexington County, South Carolina . . . found that both defendants and victims held positive overall views of the domestic violence court” which were”associated with compliance with court mandates and reduced recidivism among defendants.”).

Labriola, supra note 17, at 12.

Id. at 24.
