

Compliance Monitoring in Domestic Violence Cases

A Guide for Courts

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What is Compliance Monitoring?

Compliance monitoring is one of the key elements of the domestic violence court model and can help courts increase accountability for abusive partners and safety for victims. Across the country, courts utilize compliance calendars in both criminal and civil proceedings to ensure that defendants and respondents adhere to court-ordered conditions, such as orders of protection, abusive partner intervention or other program mandates, and no new arrests. In the civil realm, judicial monitoring can also be used to make sure respondents comply with parenting plans, supervised visitation, safe exchange, and child support. They provide an opportunity for the court to continuously monitor defendants' and respondents' risk and take appropriate actions to increase victim and child safety and wellbeing. Notably, the dichotomy between victim and defendant is not always clear in domestic violence cases as some survivors engage in violent behavior as a means to resist their abusive partner. Meaningful judicial monitoring of these cases can provide the opportunity for victim-defendants to receive support while they take responsibility for their actions, seek safety, and choose nonviolent alternatives.

Research has shown that ongoing compliance monitoring, combined with specialized probation supervision in the community, can positively impact the behavior of defendants and keep them from committing another crime, at least while their case is pending.¹ While many important stakeholders play a role in the effectiveness of compliance calendars,² the judge can be the most important player in helping to increase safety and accountability. Their sanctioning power and relationship with defendants and respondents can motivate positive change and deter dangerous behavior. The judge's involvement also emphasizes that all parts of the legal system are in sync.³ Further, ongoing compliance is important for victims, making them feel that the court is paying attention to their case and will learn of and take violations seriously.⁴

Compliance hearings send the message that:

1. Domestic violence is a serious crime that impacts families and communities at large;
2. The court and community are closely watching defendants' and respondents' behavior; and
3. The court and community will hold people accountable for their actions.

When used effectively, compliance hearings ensure that orders do not become meaningless and that the court can respond to violations swiftly with appropriate sanctions.

How Does it Work?

At its core, compliance monitoring consists of frequent court appearances before a judge, compliance officer, or referee to monitor defendant or respondent compliance and motivate positive behavior change.

Judicial monitoring usually occurs post-plea or post-disposition, but some jurisdictions require defendants to attend compliance hearings throughout their case or as a condition of bail.

Below are the basic steps to compliance monitoring:

- Conduct a detailed allocution and review all conditions and mandates with defendants and respondents at disposition.
- Clearly explain the consequences for noncompliance to defendants and respondents at the initial time of plea or disposition.
- Hold regular compliance hearings, with a separate calendar for high-volume courts.¹
- Review progress on all conditions and mandates and clearly reiterate the consequences for noncompliance at each compliance hearing.
- Respond to **all** violations swiftly with consistent, fair, and graduated sanctions, which may range from a verbal reprimand, to more frequent court dates, to jail.
- Utilize graduated monitoring (e.g., allowing those in compliance to appear less frequently) and offer encouragement but not congratulations for those in compliance.
- To maximize the deterrent effect, require defendants and respondents to observe the judge interacting with those in noncompliance so they can see firsthand the consequences of noncompliance.⁵

I want more than just compliance. It's not hard to assess if someone is going to their program or paying associated costs. Judicial monitoring provides a respectful opportunity for defendants to change by engaging meaningfully in programs and treatment. I'm looking for behavioral change and the start of healthier relationships. It's the difference between surviving and thriving.

— JUDGE ELIZABETH HINES

15th District Court, Ann Arbor, Michigan

Best Practices for Compliance Monitoring

This guide outlines best practices to help courts develop or enhance compliance calendars. It provides examples from jurisdictions across the country who are implementing effective compliance calendars that increase defendant and respondent accountability and victim safety. See the accompanying appendix for sample documents from these jurisdictions.

INCORPORATE PROCEDURAL JUSTICE

Procedural justice refers to litigants' perceptions of fairness related to their experience with the justice system. Research has shown that by ensuring that litigants:

1. Understand the process;
2. Are treated with dignity and respect;
3. Are provided with an opportunity to be heard;
4. Find court actors to be helpful;
5. And perceive decisions as neutrally made, they are more likely to feel positively about court outcomes, even if they are not in their favor.⁶

Procedural justice can increase compliance with court orders and reduce recidivism. Specifically, in a 2012 study, defendants who believed that the court was more likely to learn of and respond to noncompliance, and also thought they were treated fairly, attended more sessions of their mandated program. Additionally, this study showed that assignment to judicial monitoring has often led defendants to be significantly more likely to believe that they understood their obligations.⁷

Examples in Practice

Georgia

Judge Beryl Anderson of the **Dekalb County Magistrate Domestic Violence Court**, an Office on Violence Against Women (OVW)-recognized Domestic Violence Mentor Court, reads the same compliance opening instructions before every calendar to remind and make sure respondents understand the purpose of the court proceeding (Appendix A). Additionally, when she learns that a respondent is going through something deeply personal and private that may be impacting their compliance (e.g., a serious mental health or health issue), she sometimes waits to hear their case until the very end of the calendar to limit the number of people who hear about the respondent's personal issue. This highlights one way in which she can treat respondents with dignity and respect.

Idaho

At **Ada County's Domestic Violence Court**, an OVW-recognized Domestic Violence Mentor Court, defendants are notified verbally and in writing about noncompliance. Other relevant parties are also notified, including probation and the court. Written contracts can then be devised with defendants to address noncompliant behaviors. These contracts are subsequently referred to in weekly provider progress reports.

Minnesota

- The Mille Lacs County Domestic Violence Court created a three-part offender handbook that outlines all requirements for each of three phases of compliance-related programming

(Appendix B). It includes information regarding participants' no contact orders and probation conditions, which participants write down themselves. The handbook contains spaces to log attendance at compliance hearings, mandated treatment, abusive partner intervention programs, and other positive weekly activities (i.e., work, school, volunteering). It also includes an acknowledgement of understanding from the participant, a release of confidentiality, and important contact information for key legal system stakeholders (e.g., court, probation officer, surveillance officer).ⁱⁱ

- The **Beltrami County Domestic Violence Court**, another OVW-recognized Domestic Violence Mentor Court, also developed a handbook that is carried by participants to their abusive partner intervention programs, chemical dependency groups, compliance review hearings, and probation meetings (Appendix C). It contains program requirements; a release of confidentiality; an acknowledgement description; spaces to track chemical dependency screenings, abusive partner intervention programs, employment/job search progress, and compliance review dates; and spots to write down orders of protection and conditions of release. Defendants complete the workbook throughout their time in the domestic violence court program, and it is reviewed and signed by the program facilitator to double check what is written.

Vermont

Judge David Suntag, now retired, was the presiding judge of the Brattleboro and Bennington Integrated Domestic Violence Courts in Vermont. While taking pleas, he encouraged defendants to speak with him to check their understanding and offer them the chance to be heard. He often quizzed defendants to make sure they understood the plea, and used plain language instead of legal jargon when explaining his decisions. He also created a Stipulation to the Facts sheet that defendants would read and sign to ensure they understood their plea.ⁱⁱⁱ

INTERACT MEANINGFULLY WITH LITIGANTS

Engaging in individualized, meaningful, and trauma-informed interactions with litigants is important in ensuring that procedural justice elements are met. It indicates to litigants that the judge is knowledgeable about the specifics of their cases and also shows respect for them by providing them an opportunity to be heard. These conversations can also demonstrate a sense of care and support, which can be meaningful for litigants, particularly victim-defendants.

Post-disposition or post-plea, judges may use their individual interactions with litigants to:

- Ask questions about litigants' life and progress (e.g., What is one thing you have learned from your abusive partner intervention program?);
- Encourage them to continue making positive improvements in their life;
- Review progress from treatment notes and other sources as well as sanctions over time;
- Reiterate litigants' court obligations and behavioral expectations, highlighting consequences for noncompliance and incentives for compliance in a clear and straightforward manner;
- Admonish and provide appropriate sanctions for noncompliance;
- Address any barriers to compliance that may require additional supports (e.g., transportation issues, unemployment, safety concerns for victim-defendants); and
- Check for understanding and answer any questions from litigants.⁸

Examples in Practice

Arizona

Judge Wendy Million of the **Tucson City Domestic Violence Criminal Court**, an OVW-recognized Domestic Violence Mentor Court, credits attending her local abusive partner intervention program's Domestic Violence Orientation with giving her a

deeper understanding of the program she sends defendants to and the language to talk to them about it. It also increased her empathy for the defendants coming before her. In addition to focusing on victim safety, she displays a concern for the defendant and any children who may be impacted by the case by asking specific questions about them.

Kentucky

In Louisville, Circuit Court Judge Jerry Bowles, now retired, created and presided over a compliance calendar to monitor civil protection orders. He had an individualized interaction with each respondent, allowing them to actively discuss their progress. Over time, the judge created a relationship with respondents and made sure they knew that the court was heavily invested in the successful completion of all mandates and the prevention of domestic violence. You can watch a clip of Judge Bowles presiding over his compliance calendar [here](#).

USE SANCTIONING MATRICES

According to research, effective programming for any offender requires certain, consistent, and fair consequences for noncompliance.⁹ Procedural

justice also requires that litigants perceive decisions as neutrally made. Jurisdictions across the country have developed sanctioning matrices to outline, in a clear and concise manner, the potential consequences of failing to comply with court orders. Consistent use of sanctioning matrices results in fairer judicial decisions and helps combat racial bias. These matrices are typically reviewed with defendants by an agent of the criminal justice system, such as a probation officer, domestic violence court coordinator, or attorney. These matrices are used by judges as a guide and are not intended to limit judicial discretion.

Examples in Practice

Minnesota

The Clay County Domestic Violence Criminal Court developed a sanctioning matrix that outlines pre-trial sanctions for using alcohol or drugs, failing to be law abiding, missing court, and violating a no contact order (Appendix D). Sanctions include increasing judicial review hearings, random testing, re-evaluating bail, electronic alcohol monitoring, and bench warrants (for missing court). The matrix also includes a section for possible post-sentence sanctions for use when a probation agent files a probation violation.

I was reluctant to use the sanctioning grid. I believed that it would compromise my judicial discretion by boxing me in to one sanction or another. Consistent use of the grid has resulted in fairer and more consistent sanctioning decisions. The best evidence of this is the offenders, who participate more openly with exact knowledge of what we expect of them and what will happen if they don't meet those expectations. It's not just me holding them accountable—they hold each other accountable as well.

— JUDGE COURTNEY WACHAL

Municipal Domestic Violence Court, Kansas City

Missouri

The **Kansas City Municipal Domestic Violence Court**, an OVW-recognized Domestic Violence Mentor Court, operates a traditional criminal domestic violence docket and a joint domestic violence drug court docket. They utilize a separate sanctioning matrix for each docket (Appendix E). While the matrices overlap greatly, the joint domestic violence drug court sanctioning matrix includes more infractions related to chemical dependency issues, such as unexcused absences for treatment or check-ins with the offender accountability coordinator, dilute negative urinalysis, missed urinalysis, and adulteration of urinalysis.

North Dakota

The Grand Forks Domestic Violence Criminal Court developed a sanctioning matrix that outlines potential sanctions for a variety of noncompliant behaviors, including failure to complete the domestic violence court orientation, domestic violence evaluation or intake; failure to complete community service hours or other conditions of the judgement; and failure to appear for domestic violence review hearings (Appendix F). Consequences range from a verbal reprimand to jail time to community service hours to revocation, depending on the type and frequency of violation. All sanctions require that a review hearing be set for the next available domestic violence court session.

ALLOW FOR INDIVIDUALIZED SANCTIONING RESPONSES

While the use of sanctioning matrices is effective in making sure consequences are clear and consistent, judges have often needed to find ways to reach the specific individuals before them. The goal is to utilize incentives and sanctions that are meaningful to each defendant or respondent and encourage them to engage in positive behavior and avoid harmful behavior. Jurisdictions have explored a variety of new sanctioning methods from curfews

With civil cases, we have fewer tools in the toolbox. The ultimate sanction is 20 days in jail, but I strongly believe that just because you can do something, it doesn't mean you should. We have to look at each respondent and figure out why they're not complying. You can't do a one-size-fits-all approach because what may be a burden to one person may not be a burden to others.

— JUDGE BERRYL ANDERSON

DeKalb County Magistrate

Domestic Violence Court

to phone check-ins to restricting or limiting visitation in integrated domestic violence courts. These additional sanctions should be clearly agreed upon with the coordinated community response; indeed, it is helpful to collaborate with community and other system partners to have as many sanctioning options as possible. You should also consider how to handle noncompliance with victim-defendants who may be dealing with extensive trauma, which could be a barrier to meeting probation or court conditions.

Examples in Practice

Illinois

Judge Randy Wilt, who presides over the **Winnebago County Domestic Violence Criminal Court**, an OVW-recognized Domestic Violence Mentor Court, utilizes “box time” as a sanction. Litigants ordered to box time, must come to court and watch others’ order of protection and compliance cases. They observe the judge’s interaction with other litigants and gain a better

sense of how negatively domestic violence impacts others and how deeply the judge is invested in preventing domestic violence. It can be a deterrent effect because litigants can see what sanctions might be next for them if they don't abide by the court's orders. It also allows litigants to see that the judge treats similarly situated litigants consistently, which can increase procedural justice.

Texas

Judge Cañas, a former judge of the Dallas County Specialized Criminal Domestic Violence Court, an emeritus OVW Domestic Violence Mentor Court, found that requiring challenging defendants to come to court weekly merely to show their face to him was an effective way to encourage defendants to take their cases seriously. Judge Cañas also required litigants who he felt were not progressing enough to fill out a more thorough Battering Intervention and Prevention Program (BIPP) journal. This is a written assignment that defendants must complete about a topic covered in their abusive partner intervention class. Defendants must describe the topic, highlight their thoughts and feelings surrounding the topic, and outline how it applies to their life. You can listen to him talking about his work [here](#).

Dedicate Time, Staff, and Resources for Monitoring

Running an effective compliance calendar requires dedicated staff to coordinate progress updates from treatment providers, probation, and victim advocates; check domestic violence registries and information about violations from prosecutors and police; and ensure defendants and respondents are supervised continuously. Jurisdictions across the country have developed a variety of ways to complete these duties, including assigning permanent judges to the compliance docket, holding compliance staffing meetings, and using resource coordinators, probation officers, compliance managers, and case managers to assist with coordinating services and ensuring compliance. Creating formal interagency protocols and procedures outlining the monitoring process can be helpful in making sure that stakeholders work well together, particularly around information sharing and reporting.

Examples in Practice

Alabama

Shelby County's Domestic Violence Court handles domestic violence criminal matters and protection from abuse civil matters when there is a related criminal case. The domestic violence court team sets aside time to meet before every docket to review cases and compliance information. The team consists of the judge, prosecutor, defense attorney, case manager from community corrections, victim advocate, supervised visitation/safe exchange provider, and as their schedule permits, the abusive partner intervention program provider. Victim advocates, who maintain contact with victims

throughout defendants' duration in the domestic violence court program, provide updates about potential risks and/or needs of the victim. Abusive partner intervention program staff submit detailed reports regarding participation and compliance to the case manager each week. The case manager updates the judge and team with information from all mandated programs as well as their own insights from their communications with the defendant. Uniquely, supervised visitation and safe exchange service providers also attend staffing because these services can be ordered through the criminal case via a request by the victim or the court. Defendants' participation and behavior at supervised visitation and safe exchange is tracked and discussed at these meetings, providing a holistic view of the family. Any noncompliant behavior is addressed at compliance hearings.

Georgia

Judge Beryl Anderson serves as the chief magistrate judge of the DeKalb County Magistrate Court and presides over the civil compliance docket of the **DeKalb County Magistrate Domestic Violence Court**, an OVW-recognized Domestic Violence Mentor Court. By collaborating closely with the court compliance officer, she accesses a variety of information before hearings that give the impression that she is thoroughly knowledgeable about respondents' progress. Two other judges hear domestic violence civil compliance cases as well, and respondents can be assigned to any judge at any point during their time on judicial monitoring. This ensures that respondents are accountable to more than one person in the community. The judges

maintain consistency amongst respondents because they share the same judicial philosophy and have participated in extensive training on domestic violence, such as the National Council on Juvenile and Family Court Judges' Enhancing Judicial Skills in Domestic Violence.

Idaho

Ada County's Domestic Violence Court, an OVW-recognized Domestic Violence Mentor Court, relies on probation to coordinate referrals to mandated programming and track progress post-adjudication when supervised probation is ordered. Probation officers send domestic violence and mental health referral information to domestic violence evaluators,^{iv} receive completed evaluations, and ensure distribution to the domestic violence court team. After defendants are enrolled in programming, probation officers review progress notes and distribute them to parties, including the court. They are also in regular contact with defendants and the domestic violence court program administrator. Even with this probation contact, the domestic violence team finds that judicial monitoring is key.

The existence of one-on-one interaction is critical. Hearing what the judge thinks about your progress, whether positive or negative, creates a feedback loop. Having someone support you over time feels nice, but if you don't get your ducks in a row, the judge will pull privileges.

— REBECCA KULAGA
administrator, Fourth Judicial
District Family Court Services

In addition, the judges always ensure that a victim witness coordinator and/or victim is present and involved at each hearing, including review hearings. This ensures that victims' voices are taken into consideration during compliance reviews and that victims have an opportunity to petition the court to request or modify a no contact order.

Michigan

In Ann Arbor, probation officers receive weekly updates on program and treatment compliance and hold group meetings that allow probation officers to meet with all defendants mandated to a program at the same time to review their attendance, participation, program payment, and other obligations. This method, known as **probation group reporting**, allows for consistency in messaging about accountability and allows defendants to see the benefits of compliance and the consequences of non-compliance when their peers are rewarded or sanctioned. It also provides peer support to defendants who learn from their peers that it is possible to stay compliant; these peers sometimes step up to help each other in times of need. "Even with robust probation oversight, judicial reviews are essential for victim well-being and offender accountability. The domestic violence judge and probation officer work as a team. Probation officers provide ongoing, critical information judges need to make the most informed decisions. Judges support probation. The judge can modify conditions of probation as risk changes. The judge, not probation, can jail an offender, if necessary. Offenders need to know that they will have to return to appear before the judge to demonstrate compliance and answer for any failure to comply." - Judge Elizabeth Hines, 15th District Court in Ann Arbor, Michigan

Minnesota

The Stearns County Repeat Felony Domestic Violence Court, an emeritus OVW Domestic Violence Mentor Court, utilizes a 1) full-time specialized probation agent to monitor defendants' treatment and employment/education activities

There is the carrot and stick element. When offenders were 100% compliant, we excused them from court. This was a reward; many men would pay current restitution and child support to avoid court. They would rather work and be in the community as opposed to being in front of a judge. Some clients needed the encouragement of the judge and would choose to still come to court when doing well. There was something about receiving a compliment and being recognized for good progress from a judge that really mattered to some offenders. The reviews modeled that [the judge and I] were on the same page and that the judge supported probation and had expectations of us as well as the offender. In order for this to work, it is imperative that the judge and probation have a good working relationship with one another.

— JAMES HENDERSON,

former probation agent in Ann Arbor, Michigan and current national trainer and technical assistance provider on probation and offender engagement

Minnesota (continued)

and address rule violations at compliance hearings or before hearings if a violation implicates public safety; and a 2) surveillance agent to enforce court orders through intensive 24/7 surveillance, including random testing and whereabouts checks. These staff members meet with defendants through scheduled and unscheduled visits to ensure compliance with court mandates. They also

participate in compliance hearings and staffing with the rest of the domestic violence court team, including the judges. They provide critical information about defendants' progress during staffing, which allows the judge to have specific and detailed conversations with defendants during compliance hearings that help correct behavior before it becomes a violation.

Our judges attend staffing. We have always found it very valuable that they know what is going on with the offenders even behind the scenes so that when they are addressing them in court, they can discuss with them their treatment, jobs, etc. We find it helpful for the offender to know and believe that the judge is aware of who they are and what they are doing to help assure compliance with orders.

— MERIEL B. LESTER

assistant chief, Criminal Division, Stearns County Attorney's Office

New York

The **Kings County Integrated Domestic Violence Court**, an OVW-recognized Domestic Violence Mentor Court, has a full-time resource coordinator, a licensed social worker, who compiles all compliance reports from community-based abusive partner intervention, parenting programs, and treatment programs, as well as supervised visitation resources. The resource coordinator helps litigants access services by providing referrals and monitors progress, participation, and completion of all court-ordered programs and services. Before review hearings, she provides progress reports to the judge, highlighting any important information. She also develops strong relationships with all program providers, who she can contact if the court has concerns over a litigant's progress and who also reach out to her if there are any serious issues with a litigant. This allows the court to advance the case and address any safety issues immediately.

Incorporate Risk-Needs-Responsivity

Research emphasizes the importance of implementing a risk-needs approach when working with court-involved populations. This entails matching interventions to a litigant's risk level, addressing criminogenic needs in treatment, and maximizing learning by using cognitive behavioral techniques and strategies responsive to each litigant's strengths, motivations, and learning styles.¹⁰ By utilizing a domestic violence risk tool, such as the Domestic Violence Severity Instrument-Revised (DVSI-R) or the Domestic Violence Risk Needs Assessment (DVRNA), in tandem with traditional risk tools like the Level of Service Inventory-Revised (LSI-R), Correctional Offender Management Profile for Alternative Sanctions (COMPAS), or Ohio Risk Assessment System (ORAS), courts can gain information about risk of re-arrest and future domestic violence. These tools can also ensure that the court and related actors understand each defendant's or respondent's specific array of needs (e.g., chemical dependency, employment barriers, and previous trauma and/or victimization) and can work to create a supervision and program plan to address those needs.

Examples in Practice

Colorado

In Colorado, defendants are placed in treatment based on their level of risk. Treatment providers complete the DVRNA with defendants, and a multidisciplinary treatment team (MTT), consisting of a victim advocate, probation officer, treatment provider, and social services representative, determine the level and frequency of treatment. Defendants must then progress through a set

of core competencies such as defining types of domestic violence, understanding one's own pattern of violence, demonstrating change, and eliminating abusive behavior. Additional competencies are required for high risk defendants and those with individual treatment needs, which may include complying with psychiatric/medical recommendations or substance use evaluation/treatment, and identifying chronic abusive beliefs and thought patterns that support ongoing behavior. Though most jurisdictions in Colorado do not have domestic violence courts with dedicated compliance calendars, probation often uses defendants' DVRNA scores to educate the judge and request judicial monitoring dates for higher risk defendants. Probation can also request a modification asking for earlier review dates if the defendant is noncompliant.

Idaho

At **Ada County's Domestic Violence Court**, an OVW-recognized Domestic Violence Mentor Court in Boise, the probation department completes the general criminogenic Proxy recidivism tool with defendants. Domestic violence evaluators complete the ODARA or SARA with defendants for their evaluation reports, which probation officers rely on, with the Proxy tool results, to separate defendants into high, medium, and low risk categories. These categories can determine the number of contacts the defendant must have, which can include individual probation meetings, accountability group, review hearings, domestic violence class observation, field contact at home/employer, and phone calls. See Appendix H for more details.

Alabama

Shelby County's Domestic Violence Court separates defendants into three groups based on a variety of factors, including results from the lethality assessment, history and context of the relationship, police reports, current and previous protection from abuse orders, and other information. Defendants assigned to Group A must complete more weeks in their intervention classes than defendants assigned to Groups B or C. Each participant progresses through two monitoring phases: the first is high intensity monitoring where they must report bi-weekly for judicial monitoring and report to the case manager once per month; the second is less intensive and defendants must appear in court and report to their case manager monthly. In order to move between phases or graduate, defendants must go a certain amount of time without receiving sanctions.

DEVELOP AND MAINTAIN STRONG PARTNERSHIPS WITH AN ARRAY OF PROVIDERS

In order to meet the diverse risks and needs of defendants and respondents in your community (e.g., chemical dependency, abusive partner intervention programs,⁹ supervised visitation), collaboration is key! Culturally responsive programs should be sought out to ensure accessibility for all litigants. Programming for LGBTQ litigants as well as women who use force and other resistive violence users should also be available. Courts need strong relationships with these providers to ensure that defendants and respondents are sent to appropriate programming and that effective communication and information-sharing mechanisms are in place regarding compliance. All programs must be vetted and on the same page as the court, having their own consequence system for program noncompliance that can supplement court sanctions. Indeed, some research has found that programs are often better implemented when

strong interagency collaboration is in place and includes buy-in from those involved in the on-the-ground operations of programs.¹¹

Typically, providers share information about class enrollment/attendance, participation, substance use/mental health treatment, and supervised visitation interactions. It is also important for courts to collaborate with victim service agencies whose input is critical when thinking about accountability and compliance, especially in civil cases. By including this information and being in touch with advocates, the "judge knows all" and can have meaningful interactions with participants about their progress and hold them accountable for any reported violations. It is helpful to designate a specific liaison to coordinate with service providers and advocates, and create formal protocols outlining reporting expectations. Additionally, including providers in domestic violence court stakeholder meetings can help maintain strong relationships, keep stakeholders updated on program offerings, and build capacity of agencies to take on much-needed new programming for the community. It is important to pay attention and nurture these relationships as staffing may change over time.

Examples in Practice

Arizona

Judge Million of the **Tucson City Domestic Violence Criminal Court**, an OVW-recognized Domestic Violence Mentor Court, invites treatment program providers to attend compliance hearings. This allows them to sign new defendants up for classes immediately and supplement written progress report information for continuing defendants with either positive or negative reports, as requested. The judge then commends or reprimands defendants based on that information. Additionally, one of the main Tucson abusive partner intervention providers works at an agency that provides a variety of services in addition to abusive partner intervention, so the judge often relies on them to help defendants navigate other systems, such as health insurance and mental health.

Florida

The **Miami-Dade County Domestic Violence Court and Domestic Violence/Drug Court**, an OVW-recognized Domestic Violence Mentor Court, works closely with the Advocate Program, the community corrections agency that runs abusive partner intervention programming and includes treatment for chemical dependency, mental health evaluation, parenting classes, and probation services. Services are available on a sliding scale in multiple locations in the county at a variety of times and in multiple languages (e.g., English, Spanish, and Creole) to meet the needs of defendants. Through an agreement with the Administrative Office of the Courts, the Advocate Program tracks defendants' progress in their in-house programming as well as referrals for other civil or criminal court-mandates and reports back to the court. Formal collaboration agreements with other providers also exist to ensure proper reporting.

Georgia

The **DeKalb County Magistrate Domestic Violence Court**, an OVW-recognized Domestic Violence Mentor Court, has strong relationships with a variety of state-certified family violence intervention providers (FVIP, e.g., Men Stopping Violence), mental health and substance use treatment providers for those needing alternative treatment, and a supervised visitation/safe exchange program (e.g., Nia's Place), who offer mandated services to respondents and provide progress reports to the court. The DeKalb area is resource rich in that respondents can choose which court-approved FVIP class they would like to attend, and there are some culturally-specific options. The court also has a strong relationship with local victim advocacy agencies, such as Women's Resource Center and Tapestri, which bring victims' voices into civil compliance proceedings as needed. Finally, the court has a partnership with a workforce development program, which is part of the court's effort to meet litigants where they are at since many respondents are homeless or unemployed.

Respondents are ordered to attend a workforce development program and show proof of applying to jobs. The judge then follows up with litigants about their progress on all programs.

Minnesota

Domestic Violence Turning Points,^{vi} a curriculum developed in Minnesota, is an educational program for women who have used violence against their partners. As many women who use force have experienced intimate partner violence at the hands of their partners, the purpose of the curriculum is to "help women understand the connections between the violence they experience and the violence they use" with the goal of ending them both. Programs in Minnesota work closely with the coordinated community response to ensure that defendants are screened and sent to appropriate programming. For example, primary aggressors would be sent to traditional abusive partner intervention programs while female defendants assessed as using resistive violence, would be sent to a program like Turning Points.

New York

The **Erie County Integrated Domestic Violence Court**, an OVW-recognized Domestic Violence Mentor Court, staffs a resource coordinator who has built strong relationships with all the providers in the community. The court collaborates with several abusive partner intervention programs, including a program for female defendants; substance use providers, and a parenting after violence program for women. Recently, upon surveying the programs in the community, the need for a parenting program that sufficiently address domestic violence arose. The resource coordinator collaborated with several abusive partner intervention programs and other community-based organizations, who agreed to facilitate the Caring Dads curriculum,^{vii} an evidence-based program for fathers who have abused, neglected, or exposed their children to domestic violence, in addition to their normal programming.

Wisconsin

Defendants in Milwaukee can be referred to the Alma Center,^{viii} an organization that offers abusive partner intervention and fatherhood programming that focuses on healing participants' past trauma and developing attitudes and behaviors that support healthy and respectful intimate partner and parenting relationships.

DEVELOP USEFUL PROGRESS REPORT FORMS

A key component of compliance hearings is discussing defendants' and respondents' progress. The use of progress reports from providers and/or staff coordinating all mandates can be a useful tool for judges to determine how, if at all, defendants and respondents should be rewarded or penalized. When developing these forms, it is important to consider what information should be included in order to gain a good sense of how the defendant or respondent is faring in treatment and programming.

Examples in Practice

Arizona

The **Tucson City Domestic Violence Criminal Court**, an OVW-recognized Domestic Violence Mentor Court, created a standardized form that all providers offering mandated services must complete prior to review hearings (Appendix I). This standardized form ensures that all pertinent information is included and helps the judge find the information she wants to refer to quickly during hearings. The form includes the number of sessions completed, payment compliance, and a ranking and short answer system for providers to track defendants' progress on accountability, victim empathy and safety, and attitudes.

Idaho

Treatment providers partnering with **Ada County's Domestic Violence Court**, an OVW-recognized Domestic Violence Mentor Court, provide weekly

updates to probation officers through the virtual SharePoint platform. A uniform progress report (Appendix J) tracks the timeliness and thoughtfulness of homework, unprompted participation, accountability, ability to control behaviors and impulses, the provision and acceptance of feedback, and displays of empathy and concern for others. Each item is scored on a 0 (no effort) to 3 (successful) basis, outlined in a treatment notes scoring guide. Providers also provide commentary on how the participant is faring in class, how they need to improve, and if there are any warning signs or concerns. Prosecutors and defense attorneys receive a copy of the report and probation enters it during the compliance review hearing.

Illinois

The **Winnebago County Domestic Violence Coordinated Courts**, an OVW-recognized Domestic Violence Mentor Court with both civil and criminal dockets, also uses a uniform progress report, called the Compliance Call Report, for all providers (Appendix K). The Compliance Call Report allows providers to include information regarding attendance, substance use, mental health, and financial accountability. Providers also rate and provide commentary on litigants' progress as it relates to acceptance of responsibility, use of techniques learned in class, engagement in help-seeking behavior, consciousness of the process in room, active engagement, self-disclosure, and utilization respectful language.

In civil matters, Partner Abuse Intervention Program (PAIP) providers attend a specific compliance hearing date for their agency and all respondents attending their respective programming will attend that same date. This allows them to provide supplemental information to the court, as needed. In criminal matters, PAIP providers are given the compliance dates for their participants and are encouraged to come. This shows defendants that the court and providers are on the same page, and increases providers familiarity with the court process and helpful information to include in reports.

Minnesota

The Stearns County Repeat Felony Domestic Violence Court, an emeritus OVW Domestic Violence Mentor Court, uses a spreadsheet outlining participants' phase in the program,^x offense, bail, status, no contact order information, probation recommendation, and comments regarding progress (Appendix L). In the comments section, the probation officer tracks information regarding each defendant's treatment, programming, employment, and drug test results. The spreadsheet is emailed to the domestic violence court team before staffing meetings and is used in compliance hearings to discuss defendants' status.

UTILIZE THE POWER OF THE COURTROOM

The compliance docket offers an opportunity to create a deterrent effect through the use of courtroom theater. Many jurisdictions require defendants and respondents to attend the compliance calendar at the start of the docket, so they can observe how the judge interacts with compliant and noncompliant defendants and respondents before them. Being strategic about this choice can increase deterrence. It helps ensure that defendants and respondents understand what happens during compliance, increasing the procedural justice element of understanding.

Examples in Practice

Georgia

The **Dekalb County Magistrate Domestic Violence Court** operates a civil compliance calendar every two weeks; all respondents with a 12-month family violence order of protection are mandated to attend a 24-week family violence intervention program (FVIP). The court maximizes courtroom theater by having a specific order in which they hear cases. First, the court calls respondents who have completed their FVIP mandate. Then, they call those who are compliant with their conditions. Witnessing the judge interact positively with those

who have completed or are in compliance shows the noncompliant respondents what they might have to look forward to if they comply with the court order. Specifically, hearing positive experiences from other respondents can be a helpful motivation tool. Finally, the court calls those who are non-compliant. Before calling each respondent, Judge Berryl Anderson, who presides over the civil compliance docket, often speaks directly to the noncompliant group and informs them that she will take a brief recess during which time they must individually meet with the compliance officer to determine why they are noncompliant as well as how and when they will get back on track. Taking this break where respondents have to account for their noncompliance and witnessing the sanctions and consequences levied against their noncompliant peers can have a deterrent effect because respondents can see that the judge takes noncompliance seriously and will address it.

Texas

Judge Cañas, a former judge of the Dallas County Specialized Criminal Domestic Violence Court, an emeritus OVW Domestic Violence Mentor Court, also addressed compliant cases first to reward litigants for positive behavior. He would then strategically call noncompliant defendants before defendants who were new, doing okay, or on the verge of becoming noncompliant. He used these noncompliant defendants as an example, giving out verbal reprimands and sanctions, to show what could happen if defendants did not follow the court's orders. Other courts have followed the example of Dallas County.

INCORPORATE FIREARM RELINQUISHMENT

Access to firearms is a **domestic violence lethality factor**. Studies have shown that an abusive partner's access to firearms is the single greatest risk factor for intimate partner homicide. The presence of firearms in the home makes victims five times more likely to be killed.¹² As such, many jurisdictions

also incorporate firearm relinquishment into their conditions of release. It is a best practice to then monitor this on a compliance or contempt calendar.

Examples in Practice

Missouri

The St. Louis County Domestic Violence Court staffs a compliance coordinator who oversees abusive partner intervention programming, substance abuse evaluation, and firearm surrender compliance by maintaining a database and providing up-to-date compliance information to the judge at each compliance hearing. An initial hearing is set six weeks from the entry of the order of protection, so the respondent can dispose of their firearm by relinquishing it or transferring it to a third party. When compliant, the compliance coordinator provides a sworn statement of relinquishment and verification documentation (i.e., a third party transfer affidavit or police department firearm relinquishment receipt). If the respondent is contemptuously noncompliant, they are placed on a civil contempt docket for review and monitoring. Additionally, the petitioner can file a motion for indirect criminal contempt if they learn the respondent is in possession of a firearm and the proper firearm paperwork was filed upon the entry of the order of protection.

Ohio

The **Cuyahoga County Domestic Relations Civil Court**, a Division of Court of Common Pleas, an OVW-recognized Domestic Violence Mentor Court in Cleveland, requires respondents to relinquish their firearms and carry conceal weapons license in compliance with federal regulations. Court staff obtain an affidavit of respondents' firearms possession and carry conceal weapons license information from the petitioner at the initiation of filing. The respondent is required to complete an affidavit of firearms possession and carry conceal weapons license at the time of initial hearing. The court has established a procedure to ensure firearms and carry conceal weapons license are surrendered in compliance with federal regulations

which are already included in all of our orders. If the court becomes aware (with or without petitioner's involvement) that the respondent has not complied with surrender of firearms or carry conceal weapons license, the respondent is then ordered to appear for a contempt hearing where they may be subject to sanctions, fines and/or jail time for non-compliance.

Putting It All Together

Whether you are planning a new compliance calendar or enhancing an existing one, you may want to consider the following:

- Remember that meaningful judicial engagement is key.
- When possible, assign a permanent judge to hear all compliance cases, but if using more than one judge, be consistent.
- Incorporate procedural justice – make sure litigants understand the process, are helped effectively, feel heard, are treated with respect, and view decisions as neutral.
- Consider your impact on victim-defendants.
- Set up a dedicated time to handle compliance matters.
- Consider incorporating risk and needs assessment to inform programming and monitoring.
- Cultivate strong relationships with key partners, such as probation and abusive partner

intervention providers, to make sure litigants see all stakeholders as on the same team and receive consistent messaging around expectations and accountability.

- Make sure programs in your community are accessible to all litigants in terms of language access and other cultural responsiveness factors.
- Stay closely connected to victim service agencies who also play a big role in accountability and making sure victims' voices are taken into account in compliance matters.
- Determine what information the judge needs to effectively monitor progress and develop shared forms and protocols (e.g., progress report forms, staffing meeting process) to ensure information is reported in a timely and consistent manner.
- Collaborate with system stakeholders to increase the array of sanctions available to the judge and develop a sanctioning plan with graduated sanctions.

Conclusion

Every court, including those in rural communities, can add a best practice of compliance. While not all courts are able to accommodate a separate weekly calendar, courts can start by hearing compliance cases a few times per month. Strengthening existing partnerships as well as incorporating procedural justice elements and clear, consistent, and meaningful sanctioning is also possible with limited additional resources. By applying these compliance monitoring practices, as well as those described above, courts and communities can better enhance

safety and wellbeing for victims and accountability for abusive partners.

For more examples of compliance monitoring protocols, scripts, forms, and monitoring/sanctioning plans, please contact the Center for Court Innovation at dvinfos@courtinnovation.org. The Center can also help you set up a visit to one of the highlighted Mentor Courts to observe a compliance docket.

Endnotes

- i. For low caseloads, consider hosting a compliance calendar twice per month at the start of the domestic violence calendar. For medium caseloads, you might designate one domestic violence judge to hear cases once a week for half a day. Unscheduled compliance hearings may also be needed based on the severity of a violation and safety considerations.
 - ii. This was modeled after the Stearns County Repeat Felony Domestic Violence Court, an emeritus OVW Domestic Violence Mentor Court.
 - iii. **See a recent article** Judge Suntag wrote about procedural fairness entitled *Reflections from the Bench: Procedural Fairness and Trauma: How do we avoid re-traumatizing our court users?*
 - iv. According to Idaho Criminal Rule 33.3 and Idaho Court Administrative Rule 75, all individuals who plead or are found guilty of domestic assault, domestic battery, or attempted strangulation, must undergo a comprehensive evaluation by an approved domestic assault or domestic battery evaluator. The evaluation includes a risk assessment, indicates possible mental health and substance use issues, contains collateral information, and provides a clinical summary and recommendation for the judge. Evaluators are trained mental health professionals with specialized education in domestic violence.
 - v. For more information about abusive partner intervention, please **see the Center for Court Innovation’s national clearinghouse**.
 - vi. Learn more about the Turning Points curriculum at **their website**.
 - vii. Learn more about the Caring Dads curriculum at **their website**.
 - viii. Learn more about the Alma Center and their programming at **their website**.
 - ix. Compliance hearing frequency is based on participants’ stage in the program. During pre-trial, defendants are seen weekly, if out of custody. During Probation Phase I, they are seen weekly; during Probation Phase II, they are seen every other week; and during Probation Phase III, they are seen monthly.
 - x. The progress report form was developed by Joe Toms, Good Relationships Counseling. The scoring guide was created by Misdemeanor Probation Supervisor Keri Anderson.
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APPENDIX A DEKALB COUNTY MAGISTRATE DOMESTIC VIOLENCE COURT COMPLIANCE OPENING INSTRUCTIONS

Compliance Calendar Opening Instructions - DeKalb County

Good morning/Good afternoon Ladies and Gentlemen. Today is Friday, [month], [day], 20__.

This is the Superior Court of DeKalb County. My name is Judge Beryl A. Anderson, sitting by designation. Can everyone hear and understand me?

This is a Compliance Calendar. It is a special calendar created for the sole purpose of ensuring compliance with all Family Violence 12 Month Protective Orders entered by the Court. Specifically, in all cases where there has been a finding of Family Violence, Georgia law requires the Court to order the Respondent to enroll in and complete a twenty-four (24) week Family Violence Intervention Program, pursuant to O.C.G.A. 19-13-16 (a). Your participation in this Court-ordered program is mandatory. It is NOT discretionary.

Each of you have been assigned to a Compliance Officer who will monitor your compliance. It is YOUR responsibility to maintain constant contact with your Compliance Officer until you complete the State-Certified FVIP Program. Each of you have been provided with a copy of the Family Violence 12 Month Protective Order entered by the Court. Please keep in mind that this is a civil case and not a criminal case. However, if you violate the Family Violence 12 Month Protective Order by contacting the Petitioner, either directly or indirectly, that is a crime and a warrant will issue for your arrest. The penalty for violation of a Petition Order is 1-10 years in prison.

I also want to reiterate that Georgia law requires you to enroll in and complete a State-Certified FVIP Program. If you fail to enroll in and complete a State-Certified FVIP Program, the Court will conduct a Show Cause Contempt Hearing. If you are found to be in contempt by willfully failing to take the state-mandated FVIP class, you will be arrested and serve up to 20 days in jail for failing to take the classes.

Before you leave here today, you will be given notice of your next court date.

I will now call the calendar. When your name is called, please come to the podium.

APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 1

| | | | | | | |
|---|--|--|--|--|--|---|
| <p>IMPORTANT CONTACT INFORMATION</p> | <p><u>Court Administration</u> 225 6th Ave SE Milaca, MN 56353 (W) 320-983-8313</p> <p><u>Minnesota Department of Corrections</u> Bryan Rensenbrink (DOC Agent) (W) 320-362-7954 (C) 320-249-0355</p> | <p>WHEREABOUTS LINE: 1-888-520-8308</p> <p><u>Surveillance Officer</u> Rod Greeley (C) 320-209-1968</p> | <p>Mille Lacs County <i>Domestic Violence Court (DVC)</i></p> | <p>Offender Handbook</p>  | <p>PHASE I</p> <p>Mille Lacs County Courthouse 635 2nd Street SE Milaca, MN 56353 (320) 983-8313</p> | <p><small><i>"This project was supported by Grant No. 2015-FI-AX-0011 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women."</i></small></p> |
|---|--|--|--|--|--|---|

APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 1 (continued)

ACKNOWLEDGMENT

I have read and reviewed the DVC Handbook and agree to comply with it. I understand that failure to comply with these rules may result in sanctions and possibly a return to court for review of execution of my sentence. I understand that my agent has the authority to order an administrative hold and/or report violations to the sentencing court should I fail to abide by the expectations of DVC. I understand that information about my participation in DVC will be shared between the court, probation and treatment providers.

Release of Confidential Information

I, _____, consent to and authorize communication and the release of my medical records and information, including confidential information regarding the following to the Mille Lacs County Domestic Violence Court Team

- ◆ Chemical Dependency Treatment progress
- ◆ Mental Health Treatment
- ◆ Batterer Intervention Program progress
- ◆ Medical information including prescribed medication(s)

The Mille Lacs County Domestic Violence Court team may obtain/disclose all necessary information for successful case management to/from:

- ◆ 7th Judicial District
- ◆ Mille Lacs County: Attorney's Office, Community Services, Public Health, Sheriff's Office
- ◆ Hospital/Clinic
- ◆ Pharmacy
- ◆ Treatment Provider (Batterer Intervention Program, chemical and/or mental health)
- ◆ AA/NA Sponsor

I understand this consent will remain in effect as long as I am a participant of the Mille Lacs County Domestic Violence Court. This consent may last for a period of longer than one year. I also understand that any disclosure of confidential information is governed by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records and those recipients of confidential information may disclose it only within their official duties.

Signature of Participant

Date

9

PROGRAM DESCRIPTION

POST-SENTENCE COMPLIANCE REVIEWS: After you have been sentenced, you will be required to comply with the Judge's order for supervised probation, which will include weekly hearings before the Judge to review your compliance with probation. You are required to attend all compliance reviews. The program's length will typically not be less than 12 months and could extend up to the entire time of your supervised probation.

MY COMPLIANCE HEARINGS WILL BE HELD EVERY WEDNESDAY AT 1:00PM

You are **REQUIRED** to bring this booklet to each compliance hearing completed with the appropriate signatures. If you lose this booklet it is **YOUR** responsibility to get a new one and return with missing signatures

WRITE DOWN ALL OF YOUR CONDITIONS OF PROBATION

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

2

APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 1 (continued)

MY PLAN FOR THE 50 HOUR VOLUNTEER PROJECT IS:

This plan has been reviewed and approved by the DOC Agent assigned to the DVC

DOC AGENT SIGN _____ DATE _____

PARTICIPANT SIGN _____ DATE _____

BIP (BATTERER'S INTERVENTION PROGRAM) ATTENDANCE

| Date / Counselors Initial | Date / Counselors Initial | Date / Counselors Initial |
|---------------------------|---------------------------|---------------------------|
| 1. _____ | 7. _____ | 13. _____ |
| 2. _____ | 8. _____ | 14. _____ |
| 3. _____ | 9. _____ | 15. _____ |
| 4. _____ | 10. _____ | 16. _____ |
| 5. _____ | 11. _____ | 17. _____ |
| 6. _____ | 12. _____ | 18. _____ |

MISSED BIP DATES AND EXPLANATIONS

1. _____

2. _____

3. _____

4. _____

5. _____

5

CHEMICAL DEPENDENCY TREATMENT ATTENDANCE

| Date / Counselors Initial | Date / Counselors Initial | Date / Counselors Initial |
|---------------------------|---------------------------|---------------------------|
| 1. _____ | 9. _____ | 17. _____ |
| 2. _____ | 10. _____ | 18. _____ |
| 3. _____ | 11. _____ | 19. _____ |
| 4. _____ | 12. _____ | 20. _____ |
| 5. _____ | 13. _____ | 21. _____ |
| 6. _____ | 14. _____ | 22. _____ |
| 7. _____ | 15. _____ | 23. _____ |
| 8. _____ | 16. _____ | 24. _____ |

INPATIENT TREATMENT FACILITY: _____

DATE OF INTAKE: _____ COMPLETION DATE: _____

AFTERCARE: _____

MISSED CHEMICAL DEPENDENCY TREATMENT DATES AND EXPLANATIONS

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

6

APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 2

| | | |
|--|--|--|
| <p>IMPORTANT CONTACT INFORMATION</p> | <p><u>Court Administration</u> 225 6th Ave SE Milaca, MN 56353 (W) 320-983-8313</p> <p><u>Minnesota Department of Corrections</u> Bryan Rensenbrink (DOC Agent) (W) 320-362-7954 (C) 320-249-0355</p> | <p>WHEREABOUTS LINE: 1-888-520-8308 Surveillance Officer Rod Greeley (C) 320-209-1968</p> |
| <p>Mille Lacs County <i>Domestic Violence Court (DVC)</i></p> | <p>Offender Handbook</p>  | <p>PHASE II</p> <p>Mille Lacs County Courthouse 635 2nd Street SE Milaca, MN 56353 (320) 983-8313</p> <p><small>"This project was supported by Grant No. 2015-FJ-AX-0011 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women."</small></p> |

APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 2 (continued)

ACKNOWLEDGMENT

I have read and reviewed the DVC Handbook and agree to comply with it. I understand that failure to comply with these rules may result in sanctions and possibly a return to court for review of execution of my sentence. I understand that my agent has the authority to order an administrative hold and/or report violations to the sentencing court should I fail to abide by the expectations of DVC. I understand that information about my participation in DVC will be shared between the court, probation and treatment providers.

Release of Confidential Information

I, _____, consent to and authorize communication and the release of my medical records and information, including confidential information regarding the following to the Mille Lacs County Domestic Violence Court Team

- ◆ Chemical Dependency Treatment progress
- ◆ Mental Health Treatment
- ◆ Batterer Intervention Program progress
- ◆ Medical information including prescribed medication(s)

The Mille Lacs County Domestic Violence Court team may obtain/disclose all necessary information for successful case management to/from:

- ◆ 7th Judicial District
- ◆ Mille Lacs County: Attorney's Office, Community Services, Public Health, Sheriff's Office
- ◆ Hospital/Clinic
- ◆ Pharmacy
- ◆ Treatment Provider (Batterer Intervention Program, chemical and/or mental health)
- ◆ AA/NA Sponsor

I understand this consent will remain in effect as long as I am a participant of the Mille Lacs County Domestic Violence Court. This consent may last for a period of longer than one year. I also understand that any disclosure of confidential information is governed by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records and those recipients of confidential information may disclose it only within their official duties.

Signature of Participant

Date

9

PROGRAM DESCRIPTION

POST-SENTENCE COMPLIANCE REVIEWS: After you have been sentenced, you will be required to comply with the Judge's order for supervised probation, which will include bi-weekly hearings before the Judge to review your compliance with probation. You are required to attend all compliance reviews. The program's length will typically not be less than 12 months and could extend up to the entire time of your supervised probation.

YOUR COMPLIANCE HEARINGS WILL BE HELD EVERY OTHER WEDNESDAY AT 1:00PM

You are **REQUIRED** to bring this booklet to each compliance hearing completed with the appropriate signatures. If you lose this booklet, it is **YOUR** responsibility to get a new one and return with missing signatures.

WRITE DOWN ALL OF YOUR CONDITIONS OF PROBATION

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

2

APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 2 (continued)

YOUR COMPLETED 50 HOUR VOLUNTEER PROJECT WAS:

YOUR 50 HOUR VOLUNTEER PROJECT WAS COMPLETED ON: ____/____/____

VERIFICATION OF COMPLETION:

_____/____/____

SIGNATURE OF PARTICIPANT _____ **DATE** _____

_____/____/____

PROJECT SUPERVISOR SIGNATURE _____ **DATE** _____

_____/____/____

DOC AGENT SIGNATURE _____ **DATE** _____

_____/____/____

BIP (BATTERER'S INTERVENTION PROGRAM) ATTENDANCE

| Date / Counselors Initial | Date / Counselors Initial | Date / Counselors Initial |
|---------------------------|---------------------------|---------------------------|
| 1. _____ | 7. _____ | 13. _____ |
| 2. _____ | 8. _____ | 14. _____ |
| 3. _____ | 9. _____ | 15. _____ |
| 4. _____ | 10. _____ | 16. _____ |
| 5. _____ | 11. _____ | 17. _____ |
| 6. _____ | 12. _____ | 18. _____ |

MISSED BIP DATES AND EXPLANATIONS

1. _____

2. _____

3. _____

4. _____

5. _____

5

CHEMICAL DEPENDENCY TREATMENT ATTENDANCE

| Date / Counselors Initial | Date / Counselors Initial | Date / Counselors Initial |
|---------------------------|---------------------------|---------------------------|
| 1. _____ | 9. _____ | 17. _____ |
| 2. _____ | 10. _____ | 18. _____ |
| 3. _____ | 11. _____ | 19. _____ |
| 4. _____ | 12. _____ | 20. _____ |
| 5. _____ | 13. _____ | 21. _____ |
| 6. _____ | 14. _____ | 22. _____ |
| 7. _____ | 15. _____ | 23. _____ |
| 8. _____ | 16. _____ | 24. _____ |

INPATIENT TREATMENT FACILITY: _____

DATE OF INTAKE: _____ **COMPLETION DATE:** _____

AFTERCARE: _____

MISSED CHEMICAL DEPENDENCY TREATMENT DATES AND EXPLANATIONS

1. _____

2. _____

3. _____

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APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 3

| | | |
|--|--|--|
| <p>IMPORTANT CONTACT INFORMATION</p> | <p><u>Court Administration</u> 225 6th Ave SE Milaca, MN 56353 (W) 320-983-8313</p> <p><u>Minnesota Department of Corrections</u> Bryan Rensenbrink (DOC Agent) (W) 320-362-7954 (C) 320-249-0355</p> | <p>WHEREABOUTS LINE: 1-888-520-8308 Surveillance Officer Rod Greeley (C) 320-209-1968</p> |
| <p>Mille Lacs County <i>Domestic Violence Court (DVC)</i></p> | <p>Offender Handbook</p>  | <p>PHASE III</p> <p>Mille Lacs County Courthouse 635 2nd Street SE Milaca, MN 56353 (320) 983-8313</p> <p><small><i>"This project was supported by Grant No. 2015-FI-AX-0011 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women."</i></small></p> |

APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 3 (continued)

ACKNOWLEDGMENT

I have read and reviewed the DVC Handbook and agree to comply with it. I understand that failure to comply with these rules may result in sanctions and possibly a return to court for review of execution of my sentence. I understand that my agent has the authority to order an administrative hold and/or report violations to the sentencing court should I fail to abide by the expectations of DVC. I understand that information about my participation in DVC will be shared between the court, probation and treatment providers.

Release of Confidential Information

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- ◆ Mental Health Treatment
- ◆ Batterer Intervention Program progress
- ◆ Medical information including prescribed medication(s)

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- ◆ 7th Judicial District
- ◆ Mille Lacs County: Attorney's Office, Community Services, Public Health, Sheriff's Office
- ◆ Hospital/Clinic
- ◆ Pharmacy
- ◆ Treatment Provider (Batterer Intervention Program, chemical and/or mental health)
- ◆ AA/NA Sponsor

I understand this consent will remain in effect as long as I am a participant of the Mille Lacs County Domestic Violence Court. This consent may last for a period of longer than one year. I also understand that any disclosure of confidential information is governed by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records and those recipients of confidential information may disclose it only within their official duties.

Signature of Participant

Date

9

PROGRAM DESCRIPTION

POST-SENTENCE COMPLIANCE REVIEWS: After you have been sentenced, you will be required to comply with the Judge's order for supervised probation, which will include monthly hearings before the Judge to review your compliance with probation. You are required to attend all compliance reviews. The program's length will typically not be less than 12 months and could extend up to the entire time of your supervised probation.

MY COMPLIANCE HEARINGS WILL BE HELD ONCE PER MONTH ON WEDNESDAY AT 1:00PM

You are **REQUIRED** to bring this booklet to each compliance hearing completed with the appropriate signatures. If you lose this booklet it is **YOUR** responsibility to get a new one and return with missing signatures

WRITE DOWN ALL OF YOUR CONDITIONS OF PROBATION

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

2

APPENDIX B MILLE LACS COUNTY DOMESTIC VIOLENCE COURT OFFENDER HANDBOOK, PHASES 3 (continued)

YOUR 50 HOUR COMPLETED VOLUNTEER PROJECT WAS:

This plan was reviewed and completed as approved by the DOC Agent assigned to the DVC

DOC AGENT SIGN _____ DATE _____

PARTICIPANT SIGN _____ DATE _____

BIP (BATTERER'S INTERVENTION PROGRAM) ATTENDANCE

| Date / Counselors Initial | Date / Counselors Initial | Date / Counselors Initial |
|---------------------------|---------------------------|---------------------------|
| 1. _____ | 7. _____ | 13. _____ |
| 2. _____ | 8. _____ | 14. _____ |
| 3. _____ | 9. _____ | 15. _____ |
| 4. _____ | 10. _____ | 16. _____ |
| 5. _____ | 11. _____ | 17. _____ |
| 6. _____ | 12. _____ | 18. _____ |

MISSED BIP DATES AND EXPLANATIONS

1. _____

2. _____

3. _____

4. _____

5. _____

5

CHEMICAL DEPENDENCY TREATMENT ATTENDANCE

| Date / Counselors Initial | Date / Counselors Initial | Date / Counselors Initial |
|---------------------------|---------------------------|---------------------------|
| 1. _____ | 9. _____ | 17. _____ |
| 2. _____ | 10. _____ | 18. _____ |
| 3. _____ | 11. _____ | 19. _____ |
| 4. _____ | 12. _____ | 20. _____ |
| 5. _____ | 13. _____ | 21. _____ |
| 6. _____ | 14. _____ | 22. _____ |
| 7. _____ | 15. _____ | 23. _____ |
| 8. _____ | 16. _____ | 24. _____ |

INPATIENT TREATMENT FACILITY: _____

DATE OF INTAKE: _____ COMPLETION DATE: _____

AFTERCARE: _____

MISSED CHEMICAL DEPENDENCY TREATMENT DATES AND EXPLANATIONS

1. _____

2. _____

3. _____

4. _____

5. _____

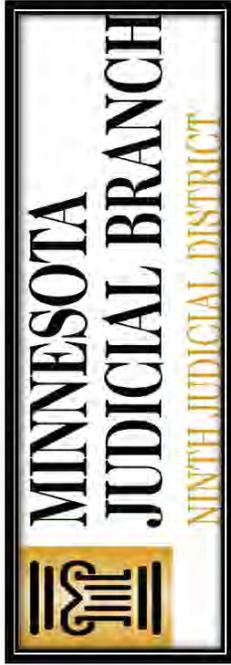
6. _____

7. _____

8. _____

6

APPENDIX C BELTRAMI COUNTY DOMESTIC VIOLENCE COURT PARTICIPANT HANDBOOK



Important Telephone Numbers

Beltrami County Court Administration
600 Minnesota Ave NW
Bemidji, MN 56601
(218) 333-4120

Beltrami County Attorney's Office
(218) 333-4219

Ninth Judicial District Public Defender's Office
(218) 755-4333

**Minnesota Department of Corrections;
Domestic Violence Unit**
Contract Office Main Phone: (218) 333-4169
Contract Office Fax: (218) 333-8139

Aeron Muckala, MN DOC Agent
Office phone: (218) 333-4167
Cell: (218) 308-0952
e-mail: aeron.muckala@state.mn.us

Alicia Semenfelder, MN DOC Agent
Office phone: (218) 333-4166
Cell: (218) 556-3636
e-mail: Alicia.semenfelder@state.mn.us

Monday Group: Bemidji
Batterer Intervention Program
Office: (218)333-4169
Monday – 4pm-5:30pm (Men's group)

Wednesday Group: Bemidji
Batterer Intervention Program
Office: (218)751-0282
Wednesday – 3pm-4:30pm (Men's group)
Tuesday – 9am-10:30am (Women's group)

Red Lake Batterer's Re-Education
Todd and Shari Smith
(218)766-5381

Leech Lake Behavioral Health
Men's Domestic Abuse Re-Education (DAE) Program
Contact your probation agent for referral

Beltrami County Domestic Violence Court Participant Handbook

Beltrami County Judicial Center
600 Minnesota Ave NW
Bemidji, MN 56601

This project was supported by Grant No. 2012-WC-AX-0004 awarded by the Office of Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office of Violence Against Women.

APPENDIX C BELTRAMI COUNTY DOMESTIC VIOLENCE COURT PARTICIPANT HANDBOOK (continued)

| | |
|---|--|
| <p>You have been assigned to Beltrami County Domestic Violence Court (DV Court). This handbook is intended to provide overall information about the Beltrami County DV Court Program. As a participant, you will be expected to follow the Judge's requirements and comply with all of the terms and conditions of your release and, if relevant, post-conviction probation.</p> | <p>Acknowledgement</p> |
| <p>Program Description</p> | <p>I have read and reviewed the DV Court Handbook and agree to comply with it. I understand that failure to comply with these rules may result in sanctions and possibly a return to court for review or execution of my sentence. I understand that my agent has the authority to order an administrative hold and/or report violations to the sentencing court should I fail to abide by the expectations of DV Court. I understand that information about my participation in DV Court will be shared between the Court, probation and treatment providers.</p> |
| <p>All criminal cases with charges of domestic violence or domestic violence related offenses occurring between intimate partners will be placed in DV Court.</p> | <p>I, _____, consent to and authorize communication and the release of my medical records and information, including confidential information regarding:</p> <ul style="list-style-type: none"> • Chemical Dependency Treatment Progress • Mental Health Treatment • Batterer Intervention Program Progress • Medical Information including prescribed medications to the Beltrami County Domestic Violence Court team. |
| <p>You have the right to have an attorney represent you. If you cannot afford to hire an attorney, you may apply for a court-appointed lawyer. If you qualify, the Court will appoint an attorney to represent you at no charge to you, except for a \$75.00 co-pay. Your attorney will advise you on court procedure and discuss the DV Court Program with you.</p> | <p>The Beltrami County Domestic Violence Court team may obtain/disclose all necessary information for successful case management to/from:</p> <ul style="list-style-type: none"> • Ninth Judicial District Court • Beltrami County: Attorney's Office, Community Services, Public Health, Sheriff's Office • Hospital/Clinic • Pharmacy • Treatment Provider (batterer intervention program, chemical health and/or mental health) • AA/NA Sponsor |
| <p>During the pendency of the proceedings, you will be required to make court appearances on a regular basis. You must be present in person for every court proceeding unless you have been excused from appearing at a particular hearing by a specific order of the Court. Your attorney may not appear for you. Failure to personally appear at any scheduled hearing may result in the forfeiture of any posted bond and the issuance of a warrant for your arrest.</p> | <p>I understand this consent will remain in effect as long as I am a participant of the Beltrami County Domestic Violence Court. This consent may last for period of longer than one year.</p> <p>I also understand that any disclosure of confidential information is governed by Part 2 of Title 42 of the Code of Federal Regulations governing confidentiality of alcohol and drug abuse patient records and those recipients of confidential information may disclose it only within their official duties.</p> |
| <p>Pre-Trial: You will be given pre-trial conditions and your compliance with pre-trial conditions will be monitored by a probation officer. Your compliance with pre-trial conditions will be reported to the Judge regularly.</p> | <p>Signature of Participant _____ Date _____</p> |
| <p>Sentencing Hearing: If you enter a plea of guilty, or were found guilty after a trial, a Pre-Sentencing Investigation will be conducted by a probation officer. The sentencing hearing will generally be scheduled within 30 days.</p> | |
| <p>Post-Sentence Compliance Reviews: After you have been sentenced, you will be required to comply with the Judge's order for supervised probation, which will include regular hearings before the Judge to review your compliance with probation. The frequency of these compliance reviews will be determined by the Judge. You are required to attend all compliance reviews. The program's length will typically not be less than twelve months and could extend up to the entire time of your supervised probation.</p> | |

APPENDIX C BELTRAMI COUNTY DOMESTIC VIOLENCE COURT PARTICIPANT HANDBOOK (continued)

DATES OF CHEMICAL DEPENDENCY ATTENDANCE AND INITIALS OF COUNSELOR

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____
13. _____
14. _____
15. _____
16. _____
17. _____
18. _____
19. _____
20. _____
21. _____
22. _____
23. _____
24. _____

After sentencing, as a participant of DVC, you will be required to appear in court on a regular basis. The Judge, Prosecutor and your attorney (if you are represented) will be given a progress report concerning your probation, your attendance and participation in DVC Batterer's Intervention Programming (BIP), and any other court-ordered treatment. Additionally, the Court will monitor your progress in meeting the other terms and conditions of probation. The Judge may ask you questions about your progress and discuss any specific problems you have been experiencing.

If you do not appear in DVC on the date and time scheduled for any of the required court appearances, a bench warrant will be issued for your arrest. If you cannot appear at a scheduled court appearance, you must notify the court and your probation officer PRIOR to the court date. It will then be reviewed by probation and the Court for an approved absence. If the absence is not approved, you must appear as scheduled.

You may be required to complete a chemical dependency evaluation also known as a Rule 25 assessment. This evaluation will be completed by a licensed chemical dependency assessor. You will be required to follow any recommendations made in the assessment as part of your probation. Recommendations will be shared with the Court and your probation agent. If treatment is recommended, the assigned agent and treatment counselor will be in regular contact to discuss progress in treatment.

A list of all prescription medications must be provided to your probation agent for approval. Participants may be required to submit to random breath and/or urine tests upon request. If a test is positive, a violation will be reported to the Court and will be addressed at the next hearing.

MISSED DATES AND EXPLANATIONS:

1. _____
2. _____
3. _____
4. _____

INPATIENT TREATMENT FACILITY: _____

DATE OF INTAKE: _____

DATA OF COMPLETION: _____

AFTERCARE: _____

WRITE YOUR CONDITIONS OF RELEASE

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____
11. _____
12. _____

APPENDIX C BELTRAMI COUNTY DOMESTIC VIOLENCE COURT PARTICIPANT HANDBOOK (continued)

| | |
|--|---|
| <p>WRITE DOWN ALL OF YOUR CONDITIONS OF PROBATION:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> | <p>WRITE DOWN ALL OF YOUR NO CONTACT ORDERS:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p> |
| <p>IS THERE AN ORDER FOR PROTECTION IN PLACE: YES NO</p> <p>6. _____</p> | <p>IS THERE A DANCO IN PLACE: YES NO</p> <p>7. _____</p> |
| <p>WHO IS PROTECTED:</p> <p>8. _____</p> | <p>ANY OTHER CONDITIONS:</p> <p>9. _____</p> |
| <p>DATES OF BIP ATTENDANCE AND INITIALS OF COUNSELOR</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> <p>11. _____</p> <p>12. _____</p> | <p>MISSED BIP DATES AND EXPLANATIONS:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p> <p>6. _____</p> |
| <p>13. _____</p> <p>14. _____</p> <p>15. _____</p> <p>16. _____</p> <p>17. _____</p> <p>18. _____</p> <p>19. _____</p> <p>20. _____</p> <p>21. _____</p> <p>22. _____</p> <p>23. _____</p> <p>24. _____</p> | <p>JUDICIAL REVIEW:</p> <p>1. _____</p> <p>2. _____</p> <p>3. _____</p> <p>4. _____</p> <p>5. _____</p> <p>6. _____</p> <p>7. _____</p> <p>8. _____</p> <p>9. _____</p> <p>10. _____</p> |
| | <p>JOB SEARCH/EMPLOYMENT:</p> <p>_____</p> <p>_____</p> <p>_____</p> |

APPENDIX E KANSAS CITY MUNICIPAL COURT DOMESTIC VIOLENCE COMPLIANCE AND DRUG COURTS RECOMMENDED SANCTIONS FOR INFRACTIONS

Kansas City Municipal Court

Domestic Violence Compliance Court

Recommended Sanctions for Infractions

The following table is a sample of best practice framework for the imposition of sanctions within the Domestic Violence Court. It is to be used as a guide. It is not intended to limit judicial discretion.

| INFRACTION | 1 st COURT IMPOSED SANCTION | 2 nd COURT IMPOSED SANCTION | 3 rd COURT IMPOSED SANCTION | 4 th COURT IMPOSED SANCTION |
|--|---|---|--|--|
| Failing to attend BIP assessment | Reprimand and \$15.00 fine and/or 5 hours community service to be completed within one week. (If sanction not completed on time, one day jail.) | One day jail sanction. | Three day jail sanction. | Revocation hearing. |
| Reporting late to BIP assessment (more than 15 mins after the schedule class time) | Reprimand and \$5.00 fine and /or 3 hours community service to be completed within one week. (If sanction not completed on time, one day jail.) | One day jail sanction. | Three day jail sanction. | Revocation hearing. |
| Unexcused absences (no call/no show) | Reprimand and warning. | \$15.00 fine and/or 5 hour community service to be done within one week. (If sanction not completed on time, one day jail.) | -Return to Court weekly until so ordered. -Write a 2 pg essay regarding "role of BIP classes" | One day jail sanction. |
| Failure to pay BIP fee. | Reprimand and warning by Probation Officer (behind 2 classes) | Cannot return to class without payment of at least \$10/will report to OAC weekly. | Revocation hearing | |
| Failure to pay probation fees/fines. | -Reprimand and warning. -Pay by next court date. | 5 hours community service. | 10 additional hours community service. | |
| Disorderly behavior towards Staff/Program Providers | Reprimand, to be taken into custody – possible release. community service and/or weekly reporting to court. | Three day jail sanction. | Revocation hearing. | |
| Failing to Submit to Random Urinalysis | Reprimand and \$10 fine and/or 5 hours community service to be completed within one week. (If sanction not completed on time, one day jail.) | One day jail sanction. | Revocation hearing. | |

APPENDIX E KANSAS CITY MUNICIPAL... RECOMMENDED SANCTIONS FOR INFRACTIONS (continued)

| | | | |
|--|---|--|---|
| Positive Urinalysis | Weekly reporting to Court, along with weekly drug testing. | Case review for transfer to DV/Drug Court. | |
| Failing to report for supervised probation | To be taken into custody, if not already. One week shock incarceration. | Revoke | |
| Violation of No Contact Order | 24-72 hour jail sanction. | 1-2 week jail sanction. | Revocation hearing |
| Re-arrest and conviction for DV/VOP, or failure to report police contact | One week jail sanction. | Revocation hearing | |
| Re-arrest for Non-DV | Increased reporting with OAC. | Revocation hearing | |
| Failure to Appear for Compliance Docket (no call/no show) | Warrant | Warrant; 48-72 hours jail sanction | Revocation hearing |
| Failure to engage in court ordered services. | Weekly reporting to Court and/or Probation Officer. | One day jail sanction. | Revocation hearing. |
| Reporting late to the Life Skills Class (Doors will be locked at 130pm) | \$10.00 fine and/or 4 hours community service to be done within one week. (If not completed on time, one day jail.) | Return to Court weekly until so ordered. | One day jail sanction. Revocation hearing. |

APPENDIX E KANSAS CITY MUNICIPAL... RECOMMENDED SANCTIONS FOR INFRACTIONS (continued)

Kansas City Municipal Court

Domestic Violence Drug Court

Recommended Sanctions for Infractions

The following table is a sample of best practice framework for the imposition of sanctions within the Domestic Violence Drug Court. It is to be used as a guide. It is not intended to limit judicial discretion.

| INFRACTION | 1 st COURT IMPOSED SANCTION | 2 nd COURT IMPOSED SANCTION | 3 rd COURT IMPOSED SANCTION | 4 th COURT IMPOSED SANCTION |
|--|--|---|--|--|
| Failing to attend BIP assessment | -Reprimand and \$15.00 fine and/or 5 hours community service to be completed within one week. (If sanction not completed on time, one day jail.) | -One day jail sanction. | -Three day jail sanction. | -Revocation hearing. |
| Reporting late to BIP assessment (more than 15 mins after the schedule class time) | -Reprimand and \$5.00 fine and /or 3 hours community service to be completed within one week. (If sanction not completed on time, one day jail.) | -One day jail sanction. | -Three day jail sanction. | -Revocation hearing. |
| Unexcused absences for Batterer's intervention classes (no call/no show) | -Reprimand and warning. | -\$15.00 fine and/or 5 hour community service to be done within one week. (If sanction not paid on time, one day jail.) | -Return to Court weekly until so ordered. -Write a 2 pg essay regarding "role of BIP classes" | -One day jail sanction. |
| Failure to pay BIP fee. | -Reprimand and warning by Probation Officer (behind 2 classes) -Pay by next court date. | -Cannot return to class without payment of at least \$10 | -Weekly court appearances | -Revocation hearing |
| Failure to pay probation fees/fines. | | -5 hours community service. | -10 additional hour's community service. | |
| Dishonest or disorderly behavior towards Staff/Program Providers | -Write a 2 page essay or letter on "Lying, Dishonesty and Respect" -Behavioral contract | -24 to 48 hours jail sanction -Revocation hearing | | |
| Failing to report for supervised probation | -To be taken into custody, if not already. -One week shock incarceration | -Revocation hearing | | |
| Violation of No Contact Order | -24-72 hour jail sanction. | -1-2 week jail sanction | -Revocation hearing | |

APPENDIX E KANSAS CITY MUNICIPAL... RECOMMENDED SANCTIONS FOR INFRACTIONS (continued)

| | | | | |
|---|---|--|--|--|
| Re-arrest and conviction for DV/VOP, or failure to report police contact | -One week jail sanction | -Revocation hearing | | |
| Re-arrest for Non-DV | -Increased reporting with OAC | -Revocation hearing | | |
| Reporting late to the Life Skills Class (Doors will be locked at 2pm) | -\$10.00 fine and/or 5 hours community service to be done completed within one week (If sanction not completed on time, one day jail) | -Increased reporting to OAC, and possibly court | -One day jail sanction | -Revocation hearing |
| Failure to Appear for Compliance Docket (no call/no show) | -Warrant, with possible reinstatement | -Warrant, with 48-72 hours jail sanction | -Revocation hearing | |
| Unexcused absences for treatment, check-ins with OAC or UA's | -Reprimand and warning -Increased court appearances -FOR UA'S: restart in phase clean time | -Increased court appearances -Increased reporting to OAC -Make up groups within 1 week -FOR UA'S: restart in phase clean time | -Same as previous imposed sanctions -Write a 2 pg essay regarding "role of treatment" or related infraction | -48 hour jail sanction -Phase could possibly restart |
| Dilute Negative Urinalysis | -Re-testing done immediately | | | |
| Missed Urinalysis | -Increase probation check in at the courthouse -7 meetings in 7 days | -Increase probation check in at the courthouse -7 meetings in 7 days -10 hours community service | -24 hour jail sanction -Increase probation check in at the courthouse -7 meetings in 7 days -10 hours community service | |
| Positive Urinalysis *same goes for Dilute Positive | -1 page essay on "Relapse Triggers", "Managing Cravings", "The Disease of Addiction", or "The Impact of Addiction on Family" | -Increase treatment -Increase probation check in at the courthouse -Increase court appearances | -Same as previous imposed infractions -Five weeks of Drug Patch, SCRAM and/or GPS | -24 hour jail sanction -Drug Patch, SCRAM and/or GPS remains on for a longer duration -Possible phase level re-start |
| Adulteration of Urinalysis | -72 hours jail sanction | -Termination from DV/Drug Court Program -Revocation hearing | | |
| Discharge from: Batterer's Intervention Treatment Transitional Living | -Reprimand/Warning -Behavioral contract | -24 to 48 hours jail sanction | -Revocation hearing | |

APPENDIX F GRAND FORKS DOMESTIC VIOLENCE COURT SANCTIONS

Grand Forks County Domestic Violence Court Sanctions

All sanctions will require that a review hearing be set for the next available DV Court session

| Infraction/Violation | 1 st Court Imposed Sanction | 2 nd Court Imposed Sanction | 3 rd Court Imposed Sanction | 4 th Court Imposed Sanction |
|--|--|--|--|--|
| 1. Failure to complete the DVC Orientation or DV Evaluation/Intake | Reprimand | 24 hrs. in jail | 3 days in jail | Revoke |
| 2. Failure to maintain full-time employment or education | Reprimand | 20 hrs. C.S. | 40 hrs. C.S. | Revoke |
| 3. Failure to complete C.S. hours or other conditions of the judgement | Reprimand | 20 hrs. C.S. or 2 days in jail | 40 hrs. C.S. or 4 days in jail | Revoke |
| 4. Failure to pay for New Choices/Offender Programming | Reprimand | 20 hrs. C.S. | 30 hrs. C.S. | Revoke |
| 5. FTA for DV Court Review Hearings | Reprimand | 4 days in jail | 8 days in jail | Revoke |
| 6. Termination from New Choices/Offender Programming | 4 days in jail | 8 days in jail | 12 days in jail | Revoke |
| 7. Re-Arrest for new DV charges | 4 days in jail | 8 days in jail | Revoke | |

Key: DVC=Domestic Violence Court, C.S.= Community Service, FTA= Failure to Appear

***The judge is not bound by these recommendations and may impose a lesser or more severe sanction than what is outlined in this chart.**

This project was supported by Grant No. 2016-FJ-AX-0008 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

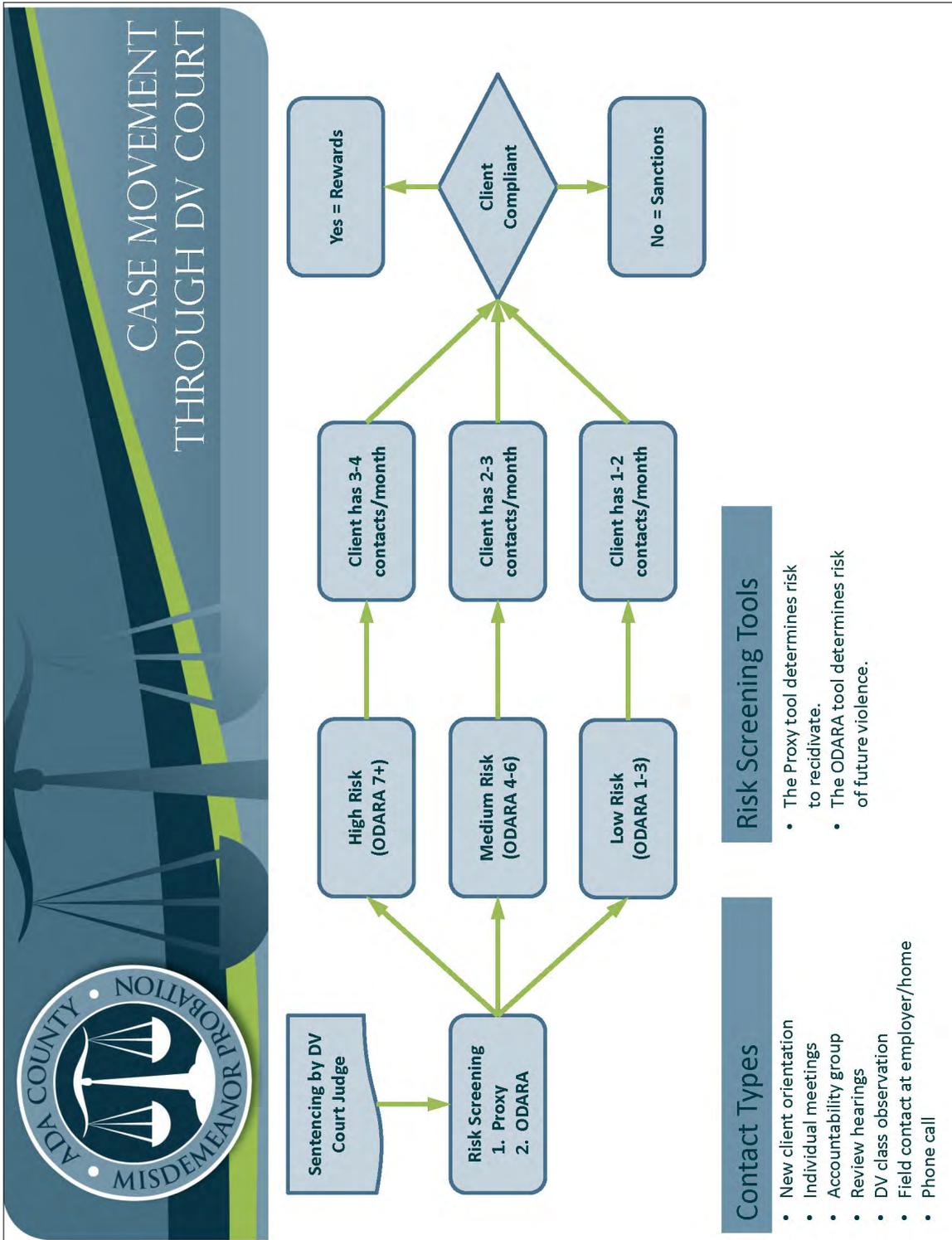
APPENDIX G SAMPLE SANCTION SCHEDULE, CENTER FOR COURT INNOVATION

Sample Sanction Schedule (created by Center for Court Innovation Gender and Family Justice Team)

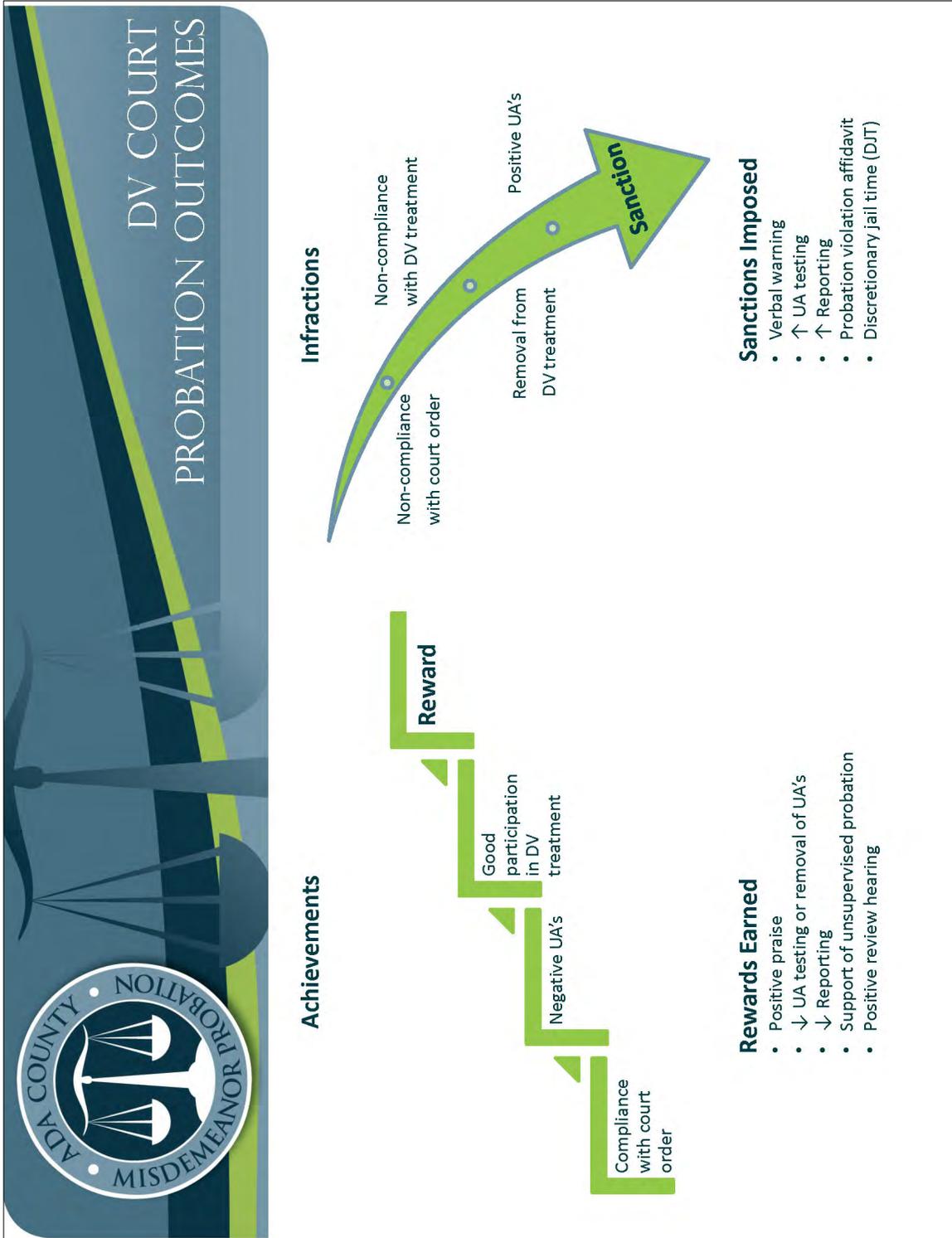
| Action | Sanctions for Group |
|---|---|
| Program noncompliance (not yet terminated): e.g., missed two consecutive sessions or missed one session and tested positive | <ul style="list-style-type: none"> • Verbal admonishment; and • More frequent court reporting |
| First program termination ¹ | <ul style="list-style-type: none"> • Verbal admonishment; • Jail for up to two weeks; and • Restart program |
| First violation of any kind after restart of program | <ul style="list-style-type: none"> • Verbal admonishment; • More frequent court reporting; • Jail for one to two weeks; and • Electronic monitoring |
| Second program termination | <ul style="list-style-type: none"> • Resentence to jail |
| First violation of order of protection | <ul style="list-style-type: none"> • Verbal admonishment; • Jail for up to one week; • More frequent court reporting; and • Electronic monitoring |
| Repeated Violation of Order of Protection | <ul style="list-style-type: none"> • VOP hearing or hearings to reopen ACD or CD; • Electronic monitoring; • Additional conditions of Probation, ACD, or CD; and • Resentence to jail |
| New domestic violence arrest | <ul style="list-style-type: none"> • Immediate incarceration for up to two weeks or resolution of new charge |
| New arrest (non-domestic violence) | <ul style="list-style-type: none"> • Verbal admonishments; and • Additional mandates to appropriate programs consistent with arrest/behavior |

¹ Five total absences or two absences during the first month results in program termination at the two batterer programs used most often by the Court.

APPENDIX H ADA COUNTY DOMESTIC VIOLENCE COURT FLOW CHART AND PROBATION OUTCOMES



APPENDIX H ADA COUNTY DOMESTIC VIOLENCE COURT FLOW CHART AND PROBATION OUTCOMES (continued)



APPENDIX I TUCSON DOMESTIC VIOLENCE COURT REVIEW HEARING REPORT

AGENCY NAME

DV Court Review Hearing Report

Probationer Name: _____ Date: _____ Court: Tucson City Court

Case #: _____ Offense: _____ Probation Officer: _____

Session # of /Total: _____ # Missed since Last Rev: _____ Other Svcs: n/a # Attended/Missed _____

of Total Sessions Missed: _____ Payment Compliance: Current Arrears Amount: _____

Accountability: Admits to all abusive behaviors; accepts responsibility and consequences; recognizes use of abuse as a choice; identifies patterns of controlling behaviors and related attitudes; recognizes overcoming abusive behavior is a lengthy, ongoing process.

- Resistant and defensive; denies and justifies abuse; manipulates
- Identifying own patterns of abuse, intentions, and related attitudes
- Shows increased insight, self-disclosure and understanding of dynamics of abuse
- Demonstrating accountability, does not collude; gives, solicits and accepts feedback well

Comments

Victim Empathy and Safety: Doesn't make excuses or blame the victim; focuses on self and own work, not what the victim needs to change; is not engaged in high-risk behaviors.

- Resistant and defensive; denies and justifies abuse
- Engaging in high-risk behaviors (e.g., violating no contact orders or victim contact conditions, new relationship, substance use, use of non-DV violence or aggression, not taking prescribed psychotropic medications, etc.)
- Demonstrating insight and remorse; recognizes harm to victim and others

Comments / Examples

Attitudes and Beliefs: Demonstrates meaningful engagement in group process including honest disclosure about current life status; demonstrates positive change in attitudes and beliefs regarding entitlement, power and control and stereotypical roles.

- Resistant and defensive; denies and justifies abuse; manipulates
- Examining attitudes and beliefs; reports making changes to avoid re-offending
- Understands cultural foundations of inequality and abuse
- Developing egalitarian attitudes and beliefs; reports increasing equality with partner

Comments / Examples

Additional Comments and Recommendations

COUNSELOR'S NAME _____ DATE _____

APPENDIX J ADA COUNTY DOMESTIC VIOLENCE OFFENDER INTERVENTION/TREATMENT PROGRESS REPORT

Domestic Violence Offender Intervention/Treatment Progress Report
Provider Name:

| | | | |
|---------------------------|--|---------------------|--|
| Defendant/Client: | | Case number: | |
| Probation Officer: | | Facilitator: | |

| | | | |
|---|---|--|---------------------------------|
| WEEK 1 Date of Session: | Examples of how the defendant is taking/not taking action to change behavior and succeed in treatment? How does the defendant need to improve? Warning signs? Concerns? | Numerical Score 2 = Some effort, needs improvement 0 = No effort 1 = Little effort 3 = Successful | |
| # of sessions completed: 152 | Topics Covered: | Homework Timely and Thoughtful | |
| Average # of participants: | | Participates without Prompting | |
| Paid \$ | | Owed \$ | Controls Behaviors and Impulses |
| | | | Takes Accountability for Action |
| | | | Provides and Accepts Feedback |
| | | Shows Empathy and Concern for others | |
| WEEK Date of Session: | Examples of how the defendant is taking/not taking action to change behavior and succeed in treatment? How does the defendant need to improve? Warning signs? Concerns? | Numerical Score 2 = Some effort, needs improvement 0 = No effort 1 = Little effort 3 = Successful | |
| # of sessions completed: | | Homework Timely and Thoughtful | |
| Average # of participants: | | Participates without Prompting | |
| Paid \$ | | Owed \$ | Controls Behaviors and Impulses |
| | | | Takes Accountability for Action |
| | | | Provides and Accepts Feedback |
| | | Shows Empathy and Concern for others | |
| WEEK Date of Session: 7/18/2016 | Examples of how the defendant is taking/not taking action to change behavior and succeed in treatment? How does the defendant need to improve? Warning signs? Concerns? | Numerical Score 2 = Some effort, needs improvement 0 = No effort 1 = Little effort 3 = Successful | |
| # of sessions completed: 152 | | Homework Timely and Thoughtful | |
| Average # of participants: | | Participates without Prompting | |
| Paid \$ | | Owed \$ | Controls Behaviors and Impulses |
| | | | Takes Accountability for Action |
| | | | Provides and Accepts Feedback |
| | | Shows Empathy and Concern for others | |
| WEEK Date of Session: 7/25/2016 | Examples of how the defendant is taking/not taking action to change behavior and succeed in treatment? How does the defendant need to improve? Warning signs? Concerns? | Numerical Score 2 = Some effort, needs improvement 0 = No effort 1 = Little effort 3 = Successful | |
| # of sessions completed: 152 | | Homework Timely and Thoughtful | |
| Average # of participants: | | Participates without Prompting | |
| Paid \$ | | Owed \$ | Controls Behaviors and Impulses |
| | | | Takes Accountability for Action |
| | | | Provides and Accepts Feedback |
| | | Shows Empathy and Concern for others | |
| WEEK 5 Date of Session: | Examples of how the defendant is taking/not taking action to change behavior and succeed in treatment? How does the defendant need to improve? Warning signs? Concerns? | Numerical Score 2 = Some effort, needs improvement 0 = No effort 1 = Little effort 3 = Successful | |
| # of sessions completed: 152 | Topics Covered: | Homework Timely and Thoughtful | |
| Average # of participants: | | Participates without Prompting | |
| Paid \$ | | Owed \$ | Controls Behaviors and Impulses |
| | | | Takes Accountability for Action |
| | | | Provides and Accepts Feedback |
| | | Shows Empathy and Concern for others | |

APPENDIX J ADA COUNTY DOMESTIC VIOLENCE OFFENDER INTERVENTION/TREATMENT NOTES SCORING GUIDE

Ada County Domestic Violence Court



Treatment Notes Scoring Guide

Criteria for Scores of **3 = Successful**

- Homework Timely and Thoughtful
 1. All Homework is complete and well thought out.
 2. Defendant understands the dynamics of partner violence and abuse, including issues of power and control.
 3. Defendant demonstrates an understanding of assignment.
 4. Defendant is well-prepared for group and answers appear well thought out
 5. Defendant brings class materials (i.e. book, control log, written assignment).
- Participates without Prompting
 1. Defendant participates constructively in group.
 2. Defendant provides feedback to other group members that moves the group in a positive direction.
 3. Defendant's participation shows an understanding of the material.
- Controls Behaviors and Impulses
 1. Defendant appears motivated to improve self.
 2. Defendant acts appropriately in class by demonstrating the following behaviors: does not talk over others, appears attentive, is respectful to other group members, and demonstrates proper hygiene and dress.
- Takes Accountability for Actions
 1. Defendant takes responsibility for own behavior rather than denying, minimizing, or blaming.
 2. Defendant appears honest and forthcoming regarding his abusive behavior.
 3. Defendant does not appear to be seeking "buy-in" from other group members.
- Provides and Accepts Feedback
 1. Defendant demonstrates a respectful, considerate, non-controlling attitude and approach towards others, including the opposite sex and intimates.
 2. Defendant demonstrates appropriately listening skills while other group members provide feedback.
 3. Defendant maintains a positive attitude when other group members express opposing views.
- Shows Empathy and Concern for Others
 1. Defendant uses appropriate listening skills in class and appears to be using appropriate anger management skills and techniques in outside life.

APPENDIX J ADA COUNTY DOMESTIC VIOLENCE OFFENDER INTERVENTION/TREATMENT NOTES SCORING GUIDE (continued)

Criteria for Scores Less Than a 3

- **2 = Some Effort, Needs Improvement**
 - The defendant is meeting most of the criteria in the subsections above; however, some improvement is still needed.
- **1 = Little Effort**
 - For the most part, the defendant is not meeting the criteria in the subsections above and serious improvement is needed. The defendant's efforts appear minimal and insincere. This is also an appropriate score when defendant is not participating or and the facilitator is unsure of where the defendant is at with attitude and motivation to change and needs to ask them or prompt them to participate. It is also an appropriate score if the defendant is not participating appropriately to move the group in a positive direction.
- **0 = No Effort**
 - The defendant will receive a score of 0 when s/he comes to class unprepared. This score is also appropriate for defendants who are distraction in group with a poor attitude. The defendant is not showing any interest in the group and positive participation is non-existent. These defendants may be placed on a behavioral contract or asked to leave the group. Probation officers will be notified.
- **Comments Section**
 - The comments should reflect how the defendant is taking/not taking action to change behavior and succeed in treatment. The comments should support and explain the scores given in the target areas. This is a good place to describe successes, warning signs, and/or concerns.

APPENDIX K WINNEBAGO COUNTY DOMESTIC VIOLENCE COORDINATED COURTS COMPLIANCE CALL REPORT

(Insert provider-specific information here)

Compliance Call Report

| | | | | | | |
|--------------------------|--|--------------------------|-------------|----------------------------|---------------|--|
| Client Name: | | | Begin Date: | | Restart Date: | |
| Case #: | | | | | | |
| # of sessions completed: | | # of sessions remaining: | | Projected Completion Date: | | |

| | Y/N | Comments |
|--|-----|----------|
| Attendance: Client arrives at group session on time. Client contacts program in advance about absences and presents legitimate excuses for any absences. | | |
| Substance Use: Client appears sober during meetings and does not have any apparent signs of alcohol or drug abuse. | | |
| Mental Health: Client appears to function effectively during meetings and does not have any apparent signs of untreated mental illness. | | |
| Financial Accountability: Client meets financial obligations without incident. Client adheres to program guidelines and follows procedures in the case of financial hardship. | | |

Rating Scale

- | | |
|--|---|
| <p>1-Poor: Rarely or never meets criteria (0-20%)</p> <p>2-Needs improvement: Meets criteria less than half the time (21-49%)</p> <p>3-Neutral: Meets criteria half of the time (50%)</p> | <p>4-Acceptable: Meets criteria more than half of the time (51-80%)</p> <p>5-Exceeds expectations: Meets criteria almost all of the time in addition to taking a leadership role in group (81-100%)</p> |
|--|---|

| | 1 | 2 | 3 | 4 | 5 | Comments |
|---|---|---|---|---|---|----------|
| Acceptance: Client admits that violence and abuse exists and is not minimizing, blaming or excusing the problem. Client realizes/accepts responsibility for the abuse and identifies his contribution to problems. | | | | | | |
| Using Techniques: Client takes conscious steps to avoid violence and refers to time-outs, self-talk, conflict resolution skills, etc. Client completes homework assignments and recommendations. | | | | | | |
| Help-Seeking: Client seeks information about alternatives. Client discusses options with others in the group and is open to referrals and future support. | | | | | | |

APPENDIX K WINNEBAGO COUNTY DOMESTIC VIOLENCE COORDINATED COURTS COMPLIANCE CALL REPORT (continued)

| | 1 | 2 | 3 | 4 | 5 | Comments |
|--|---|---|---|---|---|----------|
| Process Conscious: Client lets others speak one at a time and acknowledges others' contributions. Client asks questions of others without interrogating and heeds the directions of facilitators. | | | | | | |
| Actively Engaged: Client has attentive body language and non-verbal response. Client speaks with feeling and follows topic of discussion as demonstrated by comments. | | | | | | |
| Self-Disclosure: Client reveals his struggles, feelings, fears, and self-doubts. Client is not withholding or evading issues and is not sarcastic or defensive. | | | | | | |
| Respectful Language: Client is respectful of partner and women in general. Client uses non-sexist language and no pejorative slang in addition to challenging others who use sexist language. | | | | | | |

Summary/Recommendations:

***Please note the participation/progress in our Partner Abuse Intervention Program (PAIP) does not predict future behaviors nor does it mean that the client is a lower risk to reoffend.**

Staff Signature _____ Date ____/____/____

Staff Signature _____ Date ____/____/____

APPENDIX L STEARNS COUNTY DOMESTIC VIOLENCE COURT SPREADSHEET (continued)

| STEARNS COUNTY DOMESTIC VIOLENCE COURT | | | | | | |
|--|---|---------|------|--------|-------|----------|
| <i>January 8th, 2015</i> | | | | | | |
| CONFIDENTIAL | | | | | | |
| In Custody | | | | | | |
| Name | Admitted into DVC/ Sentenced/ Phase change | Offense | Bail | Status | DANCO | COMMENTS |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

APPENDIX L STEARNS COUNTY DOMESTIC VIOLENCE COURT SPREADSHEET (continued)

| STEARNS COUNTY DOMESTIC VIOLENCE COURT | | | | | | |
|--|-------------------|---------|------|--------|-------|----------|
| PHASE ONE | | | | | | |
| January 8th, 2015 | | | | | | |
| Out of Custody | | | | | | |
| Name | Phase Change Date | Offense | Bail | Status | DANCO | Comments |
| | | | | | | |
| | | | | | | |

CONFIDENTIAL

APPENDIX L STEARNS COUNTY DOMESTIC VIOLENCE COURT SPREADSHEET (continued)

| STEARNS COUNTY DOMESTIC VIOLENCE COURT | | | | | | |
|---|-------------------|---------|------|--------|-------|----------|
| PHASE TWO | | | | | | |
| <i>January 8th, 2014</i> | | | | | | |
| CONFIDENTIAL | | | | | | |
| Out of Custody | | | | | | |
| Name | Phase Change Date | Offense | Bail | Status | DANCO | Comments |
| | | | | | | |
| | | | | | | |

APPENDIX L STEARNS COUNTY DOMESTIC VIOLENCE COURT SPREADSHEET (continued)

| STEARNS COUNTY DOMESTIC VIOLENCE COURT | | | | | | |
|--|---------------------------|---------|------|--------|-------|----------|
| PHASE THREE | | | | | | |
| January 8th, 2015 | | | | | | |
| CONFIDENTIAL | | | | | | |
| Out of Custody | | | | | | |
| Name | DVC/Sentence/Phase change | Offense | Bail | Status | DANCO | Comments |
| | | | | | | Notes |
| | | | | | | |
| | | | | | | |

APPENDIX L STEARNS COUNTY DOMESTIC VIOLENCE COURT SPREADSHEET (continued)

| STEARNS COUNTY DOMESTIC VIOLENCE COURT | | | | | | |
|---|---|---------|------|--------|-------|----------|
| PRETRIAL | | | | | | |
| <i>January 8th, 2015</i> | | | | | | |
| CONFIDENTIAL | | | | | | |
| Out of Custody | | | | | | |
| Name | Admitted into DVC/Sentence/ Phase change | Offense | Bail | Status | DANCO | Comments |
| | | | | | | |
| | | | | | | |

APPENDIX L STEARNS COUNTY DOMESTIC VIOLENCE COURT SPREADSHEET (continued)

| STEARNS COUNTY DOMESTIC VIOLENCE COURT | | | | | | |
|---|-----------------------|----------------|-------------|--------------|-----------------|---------------------|
| <i>January 8th, 2015</i> | | | | | | CONFIDENTIAL |
| Interim Commitments | | | | | | |
| Name | Admit into DVC | Offense | Bail | DANCO | Comments | |
| | | | | | | |
| | | | | | | |

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