

FINAL REPORT
ACCOUNTABILITY WORKGROUP

Council to End Domestic Violence

Fairfax, VA April 1, 2024

INTRODUCTION

The Accountability Work Group “Work Group” was formed in 2022 by the Council to End Domestic Violence (“CEDV” or the “Council”) to examine in detail policies regarding those who commit acts of domestic violence. Specifically, the Work Group was asked to focus on the concept of “accountability.” The Work Group sought to explore how an accountability process can create pathways to responsibility, healing, hope, transformation, and in some cases restoration, in people who cause harm, systems, and communities. Such a process requires systems and communities to remedy barriers to change, and support people who cause harm to repair the harms caused by interpersonal violence “IPV.” See “Guiding Principles,” *Center for Court Innovation* (“CCI”), 2022. The Work Group discussed what “Accountability” should mean and determined that, in addition to improving existing systems, it should include measures in addition to those provided by the criminal justice system. The Work Group explored other ways that those who cause harm can “own” their actions and be part of measures aimed to reduce recidivism. The Work Group further discussed how the greater community – family, neighborhoods, etc. – surrounding a person who causes harm can have opportunities to be part of providing accountability.

EVALUATIVE PROCESS

I. Membership

The Work Group included the following members, outside consultants, and support staff personnel:

(update the list)

Name	Organization
John C. Cook	Chair
Chris Davies	Workgroup Staff; Domestic and Sexual Violence Services
Andréa Nunes-Gardner	Workgroup Staff; Domestic and Sexual Violence Services
Gretchen Soto	Domestic and Sexual Violence Services
Brittany Davis	Center for Court Innovations
Joe Meyer	Shelter House

Dr. Brenda McBorrow	Faith Communities in Action
Jonathan Yglesias	Virginia Sexual and Domestic Violence Action Alliance
Courtenay Schwartz	Virginia Sexual and Domestic Violence Action Alliance
Katrina Smith	Court Services, Juvenile and Domestic Relations District Court
Kim Parr	Community Corrections, Juvenile and Domestic Relations District Court
Dawn Butorac	Fairfax Public Defender's Office
Jenna Sands	Deputy Commonwealth Attorney
Derwin Overton	Opportunities Alternatives Resources
Mercedes Alonzo	Dept. of Family Services, Children Youth and Families, Father Engagement
Kevin Ochs	Dept. of Family Services, Children Youth and Families
Shaneen Dewendre	Ashiyanaa Executive Director
Jamie Milloy	OAR Director of Programs - survivor
Donna Audritsh	ADAPT facilitator – survivor
Dr. Adam Allston	Health Department, Chief, Population Health Section, Division of Epidemiology & Population Health
Iman Omer-Bahar	Health Department Nurse Manager

II. Meetings and Process

The Work Group met a total of XX times, generally for 90 minutes on the third Thursday of each month. The Work Group heard presentations from outside and in-group members, held discussions, and developed working materials outside of the formal meeting structure. All meetings were public and most were in-person, with on-line accessibility for out-of-town members and the general public.

Here, list the specific presentations we received, outline resource material that was reviewed. Perhaps give specific meeting dates:

III. Goals, Deliverables, and Objectives

The Work Group developed the following goals, deliverables, and objectives to guide its deliberations.

- 1. Center and listen to the experiences of survivors as a guide to inform the services, processes, and changes that are most urgent.**
 - a. Deliverables:**
 - i. Present a report on recommendations from survivors about experience to guide accountability work to inform this workgroup's actions and for a perpetual feedback loop to the system
 - b. Objectives:**
 - i. Gather survey data from survivors and those who cause harm
 - ii. Focus groups with survivors and those who cause harm to answer what is needed and what is missing in accountability
 - iii. Develop a SWOT from focus group findings (strengths, weaknesses, opportunities, threats)
- 2. Restore hope and dignity for those affected by domestic violence.**
 - a. Deliverables:**
 - i. Those affected will have autonomy in decision-making and adequate supports
 - b. Objectives:**
 - i. Analyze results of focus groups/surveys and incorporate ideas
 - ii. Measurement tool, such as pre-post survey
 - iii. Tailoring of offerings (not one-size-fits-all)
- 3. Support self-determination for survivors and their families with options and resources for safely separating or restructuring family relationships.**
 - a. Deliverables:**
 - i. Identify options and recommendations to expand and strengthen, such as:
 1. Easy and affordable access to couple's mediation as a follow-up to a BIP
 2. Financial stress management resources
 3. Shelters, housing, advocates, etc. for survivors
 4. Places for those who cause harm to go to increase safety
 5. Nontraditional interventions for those who cause harm, including those who cannot afford a BIP
 6. Peer support groups and the organizational support to perpetuate them (forums might exist that have strength and need to be identified)
 7. Any dyadic resources require careful risk assessment and safeguards in the community system (which we might not yet have in Fairfax County)
 - ii. Compile a menu of viable options and an education process for explaining options
 - b. Objectives:**
 - i. Identify existing resources (including BIPs)
 - ii. Ensure system is equipped to engage a variety of resource options
- 4. Promote stronger links between accountability and healing.**
 - a. Deliverables:**

- i. Present data on how participation in BIP (or other accountability interventions) relates to how the victim experienced healing (per focus group participants' definition of "healing" and "accountability")
 - b. **Objectives:**
 - i. Focus group, survey, and interview questions to include this question
 - ii. Longer-term follow-up data from partners of BIP participants
- 5. Create multiple pathways to accountability, including alternatives to the criminal justice and other traditional systems and responses, to reduce recidivism.**
 - a. **Deliverables:**
 - i. To identify or create one or more additional pathways to accountability in the community not related to CJS
 - ii. To measure how well these work over time to reduce recidivism (using metrics of behavior changes beyond recidivism)
 - b. **Objectives:**
 - i. Learn from communities who have developed such alternatives
 - ii. Identify alternative measures of success
- 6. Use evidence- and practice-based methods to promote effective means of accountability.**
 - a. **Deliverables:**
 - i. Gather information about evidence- and practice-based models used in various locations (including approaches that are relevant for a variety of cultures)
 - b. **Objectives:**
 - i. CCI can provide some of these examples to explore
- 7. Engage the community in its role in domestic violence prevention and accountability.**
 - a. **Deliverables:**
 - i. Implement community-centered structures for accountability
 - b. **Objectives:**
 - i. Identify a process for engaging community entities
 - ii. Carry out this process
 - iii. Provide education to community entities to become part of this process (e.g., clergy, family members, Safe Havens "Between Compassion and Accountability", Futures Without Violence prevention)
 - iv. Conduct focus groups with family members, etc.
 - v. Include the role of children
- 8. Promote the awareness, coordination, and implementation of strategies to address policy, systemic, social, and cultural biases that contribute to disparities in both the occurrence of domestic violence and opportunities for restorative healing.**
 - a. **Deliverables:**
 - i. All recommendations and initiatives of the Workgroup acknowledge and respond to biases and will address disparities
 - b. **Objectives:**
 - i. Measure baseline knowledge about biases and disparities
 - ii. Assure Workgroup is informed about biases that contribute to disparities

IV. Stakeholder Input

The Work Group sought to solicit guidance from stakeholders, first and foremost from survivors. It hoped to use a series of focus group meetings and provider surveys to accomplish this input. The effort met with less success than was hoped. Survivors were understandably hesitant to participate. Issues of time commitment and language and cultural barriers also affected participation. In the end, two focus groups and one survey were conducted for survivors. The data collected was not sufficient for statistical purposes but was useful anecdotal information. The effort was discontinued for those who cause harm and industry professionals due to time and resource constraints.

That being said, the summary below reflects the information gleaned from the Group's stakeholder input efforts.

Introduction

Regarding domestic violence, “accountability” is defined as the process by which those who cause harm acknowledge abusive behaviors and their impacts with remorse and effort to repair harm and prevent similar further abuse. Accountability differs from punishment. Punishment is imposed by authority and does not target improvement for any party or for the community. Like behaviors that cause harm, accountability is the choice of the person who causes harm. Communities and their systems are responsible for promoting individual accountability with efficacy and justice, including safety and autonomy for survivors/victims¹ A primary goal of the CEDV Accountability Workgroup is to center the voices of survivors/victims. To this end, the Accountability Workgroup engaged local domestic violence service providers and other professionals to invite survivors/victims to participate in focus groups and a survey to learn about their experiences and preferences for how accountability is addressed in those who cause harm. Participants were offered modest compensation for focus group participation, their identities were kept confidential, no services were made conditional on participation, and it was acknowledged that no survivor/victim has no obligation regarding the accountability process.

Focus Groups

Two focus group sessions were held, April 26 and June 17, 2023, each with a single 90-minute session. Focus group facilitators were affiliated with the Accountability Workgroup, were trained to facilitate, and signed an agreement to maintain confidentiality of participants. The focus group and survey centered around the topics of:

1. Victim service providers
2. Intervention services for participants' current/former partners
3. Police and legal systems
4. Community systems

¹ “Exploring Harm and Accountability”, Virginia Sexual and Domestic Violence Action Alliance Membership Meeting, November 16, 2021.

Participants were invited to describe their experiences with each of these entities and their preferences and suggestions for how these entities might support accountability in those who cause harm in a way that supports the safety and interests of those who have been harmed. Seven participants, all women, participated in the focus groups. Their ages were between 33 and 50 years (average of 41 years). Two were White/Caucasian, two Black/African-American, one more than one race (Black and Asian), one an “other” race, and one declined to identify race. Two of the women were Hispanic/Latinx, four were not, and one declined to say.

Survey

Twenty-one women participated in a survey administered anonymously via SurveyMonkey between June 2 and July 14, 2023. There were 19 questions taking an estimated nine minutes to respond. Responders were all women between the age range of 35 to 64 years. Responders were found through the same methods as for focus groups, including from among focus group participants. Twelve survey responders identified as White, three as Asian, two as Black, three as an “other” race, and one as American Indian or Alaskan Native. Five identified as Hispanic/Latinx and 16 did not. The same topics were addressed in the survey as in the focus groups, with a combination of multiple choice and write-in response questions. Many of the participants responded richly to open-ended questions, which provided quality data.

Summary of Focus Group and Survey Responses

Several themes emerged across responses of focus group participants. None of these themes should be taken to represent the experiences and preferences of every survivor/victim, but each is important for the community to consider in its accountability response:

- Not feeling heard by the criminal justice and child welfare systems
- Accountability for harm not being promoted by these systems
- Over-reliance on the criminal justice system and a lack of other options such as:
 - Access to professional services relevant to accountability
 - Peer-led networks for support
 - Public awareness and education
- Systems and communities being easily manipulated to compound harm to victims and the need for education and safeguards to prevent this
- Lack of protection for survivors/victims within systems of accountability, resulting in further harm
 - Victim blaming
 - Dismissing danger
 - Professionals/officials intimidating
 - Forcing survivors/victims into compromising positions

While the survey sample is too limited to generalize findings, several statements emerged repeatedly among survey responders:

- Survivors/victims want to be believed when they reach out for help.
- The current legal system is not sufficient alone to promote accountability.

- Improvements are needed to the legal system.
 - Options outside the legal system need to be equipped to protect survivors/victims.
- No intervention should keep a survivor/victim in a relationship when they prefer to leave.
- Conversely, no intervention should require a survivor/victim to cut off contact with a partner before receiving support.
- The entire community and its systems must become better informed about domestic and sexual violence to better understand, believe, and support survivors and to promote accountability for those who cause harm, not become a vehicle for perpetuating harm against survivors/victims.
- Survivors/victims turn suggest a variety of community and system solutions to promote accountability (varied widely across participants):
 - Jail time for the person who caused harm (12 participants)
 - Individual therapy for the person who caused harm (12)
 - Divorce (10)
 - Arrest (10)
 - Support from family, friends, mental health or substance use treatment providers, or a domestic violence intervention program for the person who caused harm(8)
- Solutions suggests by few participants included (i.e., neither to be overused nor overlooked):
 - Supervised visitation
 - Mediation
 - Court-ordered restitution
 - Faith community support
 - Couples' counseling
 - Child Protective Services involvement

The following are some direct quotes from participants:

- *I have lost a lot of family members, because they have more faith in the courts than in me. My support team is really my friends. I find certain organizations' services helpful. I go to those places for help.*
- *Is there a platform for DV survivors to be part of the community, not just by sharing our experiences with leaders but with each other? I would like there to be a peer network that addresses the needs of survivors, not just a support group but a community peer leadership group.*
- *Waiting for a person to change who was not going to change did not serve me and added to my danger.*
- *Abuse is emotional, and the community does not come into play until well after that fact, when things become physical.*
- *The process I had to go through with the system was more traumatizing than the actual abuse.*
- *We both wanted help... and we could not find [a couple's therapy provider to address domestic violence accountability]. Some people would want to address things*

individually, some as a couple, and some would want a partner to be ordered to a program. That was not even ordered, even though there was a place on the form to request it and we both wanted it.

Some participants offered suggestions how the Fairfax County community can support accountability in those who cause harm:

- Education provided across the criminal justice system, social services, and the whole community on how to identify victims of domestic violence and what actions are helpful or unhelpful in promoting safety and accountability, delivered by outside experts not embroiled in the current system and including the topics of:
 - Domestic violence patterns
 - Believing survivors/victims
 - Affirmation and empathy
 - Upholding autonomy
 - Labeling abusive behaviors
 - Overcoming taboo
 - Advocacy on behalf of survivors/victims
- Peer support groups, mentoring, and networking forums by survivors with lived experience
- Frequent contact and support available to survivors/victims throughout accountability process
- A variety of community-based options, including those that do not rely on courts
- Prevention and early intervention with families at the first signs of distress
- Addressing unresolved trauma in those who cause harm

Limitations

The results of the focus groups and survey should be interpreted carefully. The Workgroup made every attempt to reach and include a larger number of adult voices from a more diverse range of participants in regard to gender, race, and ethnicity. Flyers and the survey were made available in eight languages, and potential facilitators were identified to hold focus groups in other languages. While the distribution of participant race and ethnicity was not greatly different from that of the Fairfax County population, the fact that there were relatively few non-White, non-female, non-English-proficient, young adult, or older adult participants limits the generalizability of the results. More information is still needed regarding how to support accountability within specific marginalized communities. For brevity, anonymity, and privacy, participants were not asked if they were cisgender or about their sexual orientation, health information, income and education, or region of residence. However, these are likely important factors in survivor/victim preferences. Because of the relatively small and homogeneous participant sample and the wide range of responses, no central tendencies can be interpreted for most of the data. However, that wide range of responses does clearly illustrate one important fact—that there is no single system or single approach to accountability that is generally preferred or even acceptable. Survivors/victims who participated asked for a wide range of resources across a wide range of systems. According to these data, it seems that no vehicle of accountability should be dismissed.

Implications

It was evident that some survivors/victims want more community involvement in accountability, and others fear being pressured by the community, such as to stay in a harmful relationship or to take responsibility for moderating the behavior of the person who caused harm.

Survivors/victims felt similar pressures with the criminal justice system. Survivors/victims varied in how much confidence they placed in the community for accountability, but they agreed that the current criminal justice system response is insufficient alone to promote accountability. Some survivors/victims want a greater variety of methods for accountability, while others find it risky to stand by in the hope that a partner will change. No single approach is safe and effective in all cases. However, survivors/victims do generally want all entities involved in accountability to be educated about domestic violence and attuned to the needs and safety of survivors/victims. Points of contact for accountability are varied and need to be better equipped and coordinated in how they support the survivor/victim and promote accountability for those who cause harm.

WORK GROUP RECOMMENDATIONS

The Work Group developed its recommendations in three categories. First, is the establishment of a new accountability system outside of the criminal justice system, which would be completely voluntary and run by non-profit, community organizations, with oversight from a non-profit organization. No governmental agency would be involved in oversight or administration of the project, in order to maintain independence. Second, are continued improvements to the existing criminal justice system programming administered largely by the Juvenile and Domestic Court and county agencies. These recommendations are considered complementary to existing efforts within the court to improve its services. Third, are recommendations for enhancing existing post-incarceration programs through collaboration between county agencies, law enforcement, the courts, and non-profit partners.

A. The Establishment of an Independent Accountability System.

This is a draft proposal for a pilot program in Fairfax County. This program would develop and maintain a system of community alternatives to address domestic violence (DV) outside of the current police/judicial system responses.

Need: We know through significant anecdotal information and some survey results that a significant number of survivors of DV and persons who cause DV harm would welcome the option of an independent accountability system which would seek to heal injury, hold accountable those who cause harm, prevent further harm, and provide for the potential of a continued relationship. We know that the current public safety system is not equipped to provide these

Some victims/survivors of DV prefer an option support accountability in the person causing them harm, that does not rely upon police or the judicial system. Despite the existence of several DV program providers in Fairfax County who accept voluntary participants, the low percentage of voluntary participants in these programs indicates that these options are not currently effective at serving this need in the community. This is likely due to several factors, including but not limited to: the perception that these programs are inextricably linked to the judicial system, lack of culturally specific options, and difficulty spreading information about these programs to sub-communities within Fairfax County. Research in the communities has shown that community-based programs can be an effective alternative to court-ordered programs, engaging the social systems that are trusted and influential to the person who caused harm and important for survivor/victim safety.

Design: An alternative accountability system would be completely voluntary (by both parties) and outside of any court, public safety, or governmental accountability system. It would rely on family, community groups (faith groups, neighborhoods, and other community groups), and other non-governmental partners, with the assistance of trained personnel operating out of the non-profit sector. Based on the successful RISE (need full name) program in New York, a non-profit organization would provide counselors to an “accountability group,” which could be an extended family, a faith community, a neighborhood, men’s club, or other community group, which would work with the survivor and person who caused harm to bring about attitudinal and practical change. Those causing harm would have goals and target, with the group providing guidance and accountability. Those causing harm would be held to account but in ways other than arrest and incarceration.

Goal: The goal for the pilot would be for a non-profit to conduct community outreach and develop the program outline, and then to locate and develop up to five community-based accountability programs, each from a unique community inside Fairfax County.

Purpose: The goal of a community-based response system is to create and maintain sites where DV accountability programs can be tailored to cultural and/or personal differences, while maintaining the integrity of the principles of DV accountability and survivor/victim self-determination and safety.

Mechanism: A non-profit organization would be identified, via application and vetting, to serve as the main “hub” for the community-based accountability sites.

Roles of the Hub:

- Develop a framework based on best practices for accountability for those who cause harm, which adheres to DV programming principles but is also culturally flexible.
- Recruit community leaders to develop community-based accountability programs, including, but not limited to, places of worship, neighborhood/community centers, and existing community support groups.
- Provide initial education and ongoing consultation to the program providers for educational programming, group and individual support, services for couples and families, and/or peer-based programs.
- Educate leaders/sites on discussing DV and safely recruiting participants.
- Assess appropriateness of participants/educate program providers on assessing appropriateness of participants.
- Maintain guidelines for all providers that meet evidence-based practices and the principles of DV accountability and survivor/victim self-determination and safety.
- Evaluate and maintain a current list of trained community-based accountability program sites.
- Organize regular opportunities for program providers to discuss insights, challenges, and success stories with one another.
- Conduct outreach to victims/survivors by developing opportunities to educate the community about DV and the community-based accountability options available.
- Continue to assess factors contributing to DV, as well as barriers to victims/survivors reporting DV to loved ones or community support systems such as faith leaders.
- Assist with recruitment and training of additional qualified volunteers to support community-based accountability.
- Educate community leaders on how to find or become a trained program provider.
- Maintain a list of DV resources that can be accessed by program providers and community leaders as well as by victims/survivors in the community.

Funding: Pilot funding for the program would be provided via grant through Fairfax County. Organizations interested in functioning as the Hub would apply and use the funds for staff, training materials, informational and educational materials, evaluation materials, etc. In the future, fundraising and other grant applications would be used for continued funding.

Mechanisms of Support: A number of existing community-based accountability programs have been identified that can be a source of information for the Hub. These include The Collective Healing and Transformation Project CHAT- Restorative Justice Circle, RISE, and Neighborhood and Community Services youth programs.

B. Recommendations on Improving Accountability Within the Judicial System.

1. Scope

The proposed improvements to the current Judicial System in this report are recommendations geared toward enhancing the current Accountability programming/systems as well as adding new evidence-based programs aimed at improving the outcomes for the victims and families of those who cause harm. Included in these recommendations are training and education for staff, implementation of a Domestic Violence Accountability Docket, development of assessments and programs aimed at addressing the criminogenic needs of those who cause harm and measures aimed at repairing the harm caused to the victim/families.

2. Demonstration of Need

Currently, defendants who are placed on Pre-Trial and Probation supervision in the County, do not get any domestic violence related risk assessments through Court Services. The evidence-based risk assessments that are conducted as a requirement of the Department of Criminal Justice Services (DCJS) for all local Pre-Trial and Probation services do not sufficiently address the risks/needs specific to incidents involving domestic violence.

Additionally, there is no formal Court process to follow up on a defendant's progress while on Court ordered supervision. When the Court is notified of non-compliance through affidavits filed by Court Services, the violations are often dismissed or nolle prosequi. While the exact reasons are not known in all of these cases, it can be stated that a contributing factor is due to the Pre-Trial/Probation Officers not receiving notice of Court dates and subsequently not being present when the case is disposed of. This also happens with motions filed by the defendants' counsel to amend Court Orders. The result of this is that the Court does not hear directly from the Pre-Trial/Probation Officer who would be able to provide supporting arguments to the violation and make recommendations on any further need/risk factors that should be addressed.

Another trend is that defendants are entering plea deals that are worked out by the Commonwealth Attorney's Office and their defense counsel that may include some form of treatment or program to be completed but no Pre-Trial or Probation supervision is included. This means that the defendant is on their own to navigate the process of locating an appropriate program, enrolling in the program, and ensuring the Court receives the appropriate documentation upon completion. This presents many challenges for the defendant as they generally are not aware of the State Certification Curriculum for Domestic Violence Intervention Programs or which programs have such certification. They also may not be assessed for additional criminogenic risk/needs which may hinder progress in such a program. Additionally, this presents a hardship on the program if there are issues with compliance or other barriers keeping the defendant from being successful in the program. Assistance of a Pre-Trial/Probation officer assigned to these cases would help to alleviate many of these issues which will lead to more successful outcomes.

The focus group conducted with survivors as part of this Accountability workgroup highlighted their experience with the Court system and concluded that some did not feel their voices were centered. There also have been instances where a victim may not show up for court as a witness and the charges are subsequently nolle prosequi with no follow-up on why the victim had missed

court. It is unknown whether there is a formal process in place to follow up with the victim after completion of a case and there is currently no way to show that harm has been repaired.

While there is no “one size fits all” response when it comes to DV, there are ways to ensure that the process is consistent in determining the needs of each defendant/victim, which services/programs are appropriate, and compliance while being monitored.

Court Services should be used as a mechanism to promote accountability, increase survivor safety and improve outcomes for all parties involved including the defendant, survivor, children and the family unit as a whole.

Community Corrections Probation and Pretrial Officers, through the use of Motivational Interviewing and other Evidence Based Practices, go beyond what is ordered on the bench and assist the defendant with the creation of a Case Service Plan. Goals are set and the Probation Officer works with the defendant in an attempt to help them succeed in reaching those goals. These goals vary but can include things such as household budgeting (many domestic disputes occur due to a lack of household funds), job placement, employment training, substance abuse counseling (when not already ordered but deemed necessary), obtaining a driver’s license and so much more. If the defendant is not placed on probation as a part of the Court’s order, they miss out on all of this and do not receive the full extent of the services that are available to assist them in improving their lives and becoming not only more productive members of the community, but also a better member of the family.

3. Description of proposed improvements

❖ Implementation of a Domestic Violence Accountability Docket.

Can create pathways to better partnerships between all stakeholders through a DV Coordinated Court Response Team which would include designated members of the

- Judiciary
- Commonwealth Attorney’s Office
- Public Defenders Office or other defense attorney
- Victim Services/Victim Advocate
- Law Enforcement
- Court Services
- Child/Adult Protective Services-If involved
- Service Provider-Domestic Violence Intervention Program

Input is given from all involved stakeholders in each case on a coordinated action plan to be considered as part of the plea/disposition. The Victim Impact Statement would include the victim’s proposed action plan to be taken into consideration for sentencing. A uniform Court Order would be utilized which would be filled out by the Court Response Team prior to being presented to the Judge. Judges make any adjustments as they see fit. Cases would be identified to be assigned to the docket at arraignment or advisement or

when the first court date is set. After sentencing, a review set every 60-90 days would address ongoing compliance and progress. With the coordination of stakeholders in a Domestic Violence Accountability Docket, there is a better understanding of the risk/needs/responsivity factors in each case which drive violent behavior and will assist in identifying appropriate responses and programming to promote accountability. A docket would also significantly reduce the incidence of probation violations being heard/dismissed without a Probation Officer present to provide testimony and recommendations.

❖ Sanctioning/Sentencing guidelines

Sanctioning/sentencing guidelines can keep a balance between consistency and accountability. Guidelines are not necessarily required but can provide creative ways to address non-compliance while addressing needs and barriers.

❖ Repairing Harm

In an effort to repair the harm caused by domestic violence, a provision would be included as part of the Court Order that the offender be required to “fix” what was damaged. This refers directly to property damage, monetary losses, physical damage, or any other harm caused by the violence. This speaks to how visual reminders can delay healing and how that damage, if left unaddressed, can contribute to ongoing trauma.

❖ Introductory Domestic Violence Intervention pre-class/Waitlist Groups/Jail Groups

The purpose of a Domestic Violence pre-class, such as the “Peaceful Choices” three-hour class out of Georgia, provides an introduction to what the full certified program will include. This educational class offers specific program information and touches on some of the main topics in the certified class. This class should be used during the pre-trial phase of the case to prepare the defendant for the full program which would be ordered as part of the post dispositional phase. This class could also be utilized post disposition as part of the probation intake and could be offered by court services with facilitating staff who have obtained specialized training and/or certification or this could be added as part of the intake with a Certified Domestic Violence Intervention Program.

Waitlist groups are mostly educational with the structure of a support group. These groups can be held in Court Services with a specially trained staff or be added to a local certified domestic violence program curriculum. This can be utilized after the offender has attended the three-hour pre-class and while they are awaiting a certified domestic violence program to start. Waitlist group models have been used by the Community Services Board when a defendant was assessed and recommended for substance abuse services but there was a waitlist.

Jail domestic violence groups provide domestic violence education while a defendant is incarcerated awaiting trial or serving a sentence.

- ❖ Informational pamphlets for Victims/Defendants with information on statute and rights during the court process.

Information contained in the pamphlets for defendants might include statutes that they need to be aware of involving possession weapons, protective order compliance, contact information for key stakeholders that the defendant may need to be in touch with and any other information important to highlight. Information contained in a pamphlet for the victim might include any services available to them, contact information for key stakeholders involved, their rights pertaining to protective orders and any other pertinent information. These pamphlets would be handed to the victim/defendant in court.

C. Recommendations for Improving Post-Incarceration Systems.

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CONCLUSIONS

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