

# JUSTICE FOR FAMILIES

*Technical Assistance Newsletter*



## Putting Survivors FIRST

*By Doris O'Neal*

Survivors FIRST (Facilitating Interventions and Resources for Survivors of Trauma) is a partnership between the YWCA of Seattle King County and the King County Prosecuting Attorney's Office (KCPAO) that identifies justice-involved survivors of gender based violence and connects them to culturally specific services at the YWCA Seattle King County. Our program supports the needs of Black/African American and women of color survivor-defendants and victims of abuse who have been accused of a crime. The vast majority of women in jails and prisons were abused before imprisonment, and almost all incarcerated women experienced domestic violence or sexual abuse in their childhood. We aim to help underserved communities to identify and address the unmet needs of criminalized survivors. By providing survivors of color culturally appropriate domestic violence and intimate partner violence services, our program helps reduce the racial disproportionality of survivors of gender-based violence in the criminal legal system.

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# WELCOME

Hello Justice for Families grantees! We're excited for you to read our latest newsletter - you'll learn about a survivor-centered program from Seattle, Washington, the newest crop of OVW Domestic Violence Mentor Courts, and our team's latest projects.

We are also thrilled to announce that our former director has a new role as Judge M. Liberty Aldrich in the Bronx Family Court. We thank her

for her decades of leadership at the Center for Court Innovation and hard work on intimate partner violence initiatives.

As always, if you're interested in highlighting your project in the next newsletter, please contact us at [dvinfo@courtinnovation.org](mailto:dvinfo@courtinnovation.org).

**Robyn Mazur, JD**

Director of Gender & Family Justice Initiatives

## LATEST NEWS

### FROM OUR TEAM

The Gender and Family Justice team at the Center for Court Innovation has been hard at work implementing trainings, webinars, and creating resources on emerging issues related to domestic violence.

As a part of the Center's Justice for Families program, the team hosted a multi day training, "**E-Series for Courts,**" designed to help judicial officers and stakeholders effectively ensure accountability and safety in intimate partner violence cases. Beginning on February 19th, Center for Court Innovation hosted three 75-minute discussion sessions each week where participants engaged in peer-to-peer learning and dialogue with national experts. Among the topics covered were managing risk with intimate partner violence cases, guiding principles and procedural fairness in abusive partner intervention, and compliance.

Additionally, as a part of our Justice for Families project, we are excited to share a series of videos on a variety of topics. In *Views on Judicial Leadership*, Associate Justice Anne K. McKeig of the Minnesota Supreme Court talks about the importance of judicial leadership and

having a diverse bench. Hennepin County Family Court shares their endeavors to address domestic violence in custody/visitation and child support cases, and to enhance their responses to all litigants in *Focusing on Family Safety*. And in *Acknowledging Who Your Courthouse Serves*, Dr. Anton Treuer, Professor of Ojibwe at Bemidji State University, discussing the role of bias in the justice system. The Beltrami County Domestic Violence Court and Coordinated Community Response Project in Bemidji, Minnesota shares its experiences on key areas that are part of any domestic violence court response in *Lessons from the Field: Beltrami Domestic Violence Court and Coordinated Community Response Project*.

Through our Abusive Partner Accountability and Engagement Technical Assistance and Training Project, the team has been producing a series of podcasts focusing on trends and innovations in abusive partner intervention programming. The podcasts are released monthly and the team then hosts a drop-in call featuring our podcast guests, where participants can learn more about their work, ask questions about facilitation and implementation, and share strategies and challenges with peers. Recent topics included

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# Survivors FIRST

The program began when the YWCA aimed to confront the rampant inequality in the criminal justice system towards Black/African American and women of color survivor defendants.

Survivor defendants, when finding themselves charged with a crime, often as a result of their abusive relationship, are blatantly discriminated against when seeking help, re-traumatized, oftentimes humiliated in front of their children, and automatically assumed to be the aggressor due to their race. Instead of receiving support and services, survivors are incarcerated and forced to navigate the criminal justice system on their own as defendants. This isolation from resources often leads to pressure to plead guilty at earlier stages of the case to try to leave jail as quickly as possible, without realizing the implications. Any length of incarceration can lead to loss of the survivor's employment, housing, custody of children, and her dignity.

We have a saying, "When the cuff goes on, life is never the same." Countless survivors are going to prison, trying to survive prison, and trying to survive even as they leave prison.

In our unique partnership with the King County Prosecutor's Office, we work closely with prosecutors to collaborate with our program, to identify cases that fit this situation and to analyze history. Does this survivor have a history of being abused? Have they been assaulted by a partner or family member in the past? At that point, once that pattern is identified, the survivor is referred to the YWCA for participation in the program. Across the country, we see that there are drug courts, batterer intervention programs, mental health courts, and other resources, but we lack in supportive services for survivor defendants that are furthest from opportunity.

The prosecutor's office receives referrals from law enforcement and they then take a second look to determine victimization of the survivor defendant and to decide whether the case will be dismissed or declined. Then, a referral is made to the YWCA Survivors FIRST Program. A broader diversion program is planned for more serious cases. As we work with the survivor, we link them with resources that will help them meet a variety of needs that are neglected, such as housing, safety planning, rental and utilities assistance, legal services, support groups and counseling, job readiness programs, transportation, and childcare costs. We also provide culturally specific personal care items, for women who need assistance maintaining their physical appearance.

Thanks to funding from the Washington State legislature, the program is expanding to encompass more survivor-defendants and more eligible cases. The program recognizes that abusive relationships and the trauma they create can cause survivors to face criminal charges that are not domestic violence-related; the partnership with the KCPAO is opening up to any legally recognized survivor who is facing a misdemeanor or nonviolent felony and who is a person of color or a person furthest from opportunity.

Giving survivors a culturally responsive, safe space to receive resources, support, and compassion from advocates that look like them, can dramatically alter the outcomes in criminal cases. Deep inequalities take place in a criminal justice system that constantly re-traumatizes black and brown survivors who do not fit the image of the "typical victim." By providing survivors with a caring support system of people who want to see them succeed and treat them with the dignity they deserve, we can try to break the cycles of abuse in our communities.

*Doris O'Neal is the Director of Gender-Based Violence Specialized Services at the YWCA Seattle | King | Snohomish.*

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## Meet the Newest OVW Mentor Courts

Courts play a key role in addressing domestic violence. Yet all too often, barriers exist for victims seeking help. Victim safety can be jeopardized at various stages, and people who cause harm may take advantage of fragmented court processes. Outdated approaches in the legal system can send mixed messages about domestic violence, and a lack of coordination with other systems places the burden on victims to navigate the courts on their own. The most successful court models share key principles, including dedicated domestic violence dockets with both trained and dedicated staff, strong judicial oversight, broad partner collaboration, and comprehensive services for victims.

Selected by the Office on Violence Against Women (OVW), domestic violence mentor courts are available to provide support to communities interested in implementing a specialized domestic violence court or enhancing their current responses to domestic violence cases. In addition to sharing sample forms, materials, and lessons learned from their own community, they offer guidance to judges, court personnel, and other criminal and civil justice stakeholders. Site visits are an ideal way to benefit from the experience of other jurisdictions. On a typical site visit, visitors will see the courtroom in action and meet the judge; meet project staff and other key stakeholders, who will be available to answer questions; obtain sample documents; and discuss new approaches to problems back home.

Recently awarded by the Office on Violence Against Women, the Fiscal Year 2020 Domestic Violence Mentor Courts include Kootenai County Domestic Violence Court in Idaho, St. Louis County Domestic Violence Court in Missouri, Tulsa County Domestic Violence Court in

Oklahoma, and Pulaski Juvenile and Domestic Relations District Court in Virginia.

**The Kootenai County Domestic Violence Court** in Idaho is a criminal court model that centralizes the handling of misdemeanor domestic violence cases and coordinates with the civil justice system, serving an urban and rural community.

**The Pulaski Juvenile and Domestic Relations Court** in Virginia is a civil and criminal domestic violence court model in a rural community with one dedicated judge.

**St. Louis County's Domestic Violence Court** in Missouri operates a "one family one judge" civil court model for orders of protection with judicial monitoring and contempt dockets, serving a suburban and urban community.

**The Tulsa County Domestic Violence Court** in Oklahoma is a criminal court model that handles misdemeanor and felony domestic violence cases and coordinates with family court in an urban environment.

The Center for Court Innovation, in collaboration with OVW, will also be implementing a new Domestic Violence Court Mentoring Program. Applicant courts will be paired with the Mentor Courts to receive intensive technical assistance for creating or enhancing a domestic violence court.





abusive partner intervention in native communities and the LGBTQIA+ community, wraparound services, restorative justice, and the concept of hope.

Another exciting event from the Abusive Accountability and Engagement project was the *Women Who Use Force webinar* on April 28th. Presenters Doris O’Neal from YWCA of Seattle, Melissa Scaia with Global Rights for Women, and Dr. Carolyn West from the University of Washington shared their insights on the different types of intimate partner violence, as well as best practices for responding to the needs, strengths, and experiences of women who use force. They also explored the impacts of the criminal legal system at the intersection of gender, race, and intimate partner violence. In the earliest days of the movement against intimate partner violence, the primary focus of the field was men’s use of violence against their female intimate partners. As part of this focus, early activists and providers also worked to seek justice for women who fought back against the violence they faced. Now, more and more women who use force, especially women of color, are finding themselves involved in the criminal legal system and even referred to abusive partner intervention programs. While more abusive partner intervention programs are working with women who use force, it’s important that these strategies integrate traditional understandings of intimate partner violence with a broader understanding of the context in which violence is used by women.

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### **Center for Court Innovation**

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## **SPOTLIGHT: Judge Liberty Aldrich**

The Center for Court Innovation would like to extend our heartfelt congratulations to Judge Liberty Aldrich on her appointment to Civil Court by Mayor Bill de Blasio.

A graduate of Harvard University and New York University School of Law, Judge Aldrich began her legal career as a Staff Attorney at Mobilization for Youth (MFY) Legal Services, now known as Mobilization for Justice (MFJ) Legal Services. During this time, she also created a non-profit called Legal Information for Families Today (LIFT) in 1996, that aimed to provide information and resources for family court litigants. She later became the Senior Director of the Domestic Violence Law Project at Safe Horizon.

Liberty joined the Center for Court Innovation in 2001, where she spent nearly twenty years serving in multiple capacities including: General Counsel; Director to Domestic Violence and Family Court Programs; and Managing Director. She led the Center’s training and technical assistance work in Gender and Family Justice over the course of two decades in many important directions, impacting courts, judges, attorneys, advocates and abusive partner intervention programs. Liberty constantly pursued ways to share innovations in the field, notably leading the development of the Domestic Violence Mentor Court Project, Family Court Enhancement Project, and the Judicial Engagement Network (JEN).

We wish Liberty the best of luck on her exciting new journey as a judge, where we know she will continue making substantial contributions to the justice system!