

JUSTICE FOR FAMILIES

Technical Assistance Newsletter

WELCOME

Hello Justice for Families grantees! In this edition of our technical assistance newsletter, we're exploring the impact of technology on domestic violence cases. Read about the National Network to End Domestic Violence's excellent survivor safety network, as well as Tulsa County District Court's robust hybrid domestic violence compliance docket.

You'll also see news about the Center's Domestic Violence Resource for Increasing Safety and Connection (DV RISC) project, and our team's latest publications.

As the courts and communities across the country continue to shift and adjust domestic violence responses, we hope to continue supporting your projects with new developments and innovation. As always, if you're interested in highlighting your project in the next newsletter, or if you have any further questions about how the Center's training and technical assistance could support your project, please contact us at dvinfo@courtinnovation.org.

Robyn Mazur, JD

Director of Gender & Family Justice Initiatives

Considerations for Virtual Compliance Reviews in Domestic Violence Cases

By Victoria Lowe, Domestic Violence Court Coordinator, Family Safety Center, Tulsa County District Court

Like many, in the spring of 2020 the Tulsa County Domestic Violence Court canceled compliance review dockets due to the global pandemic. Two years later, after a transition to virtual reviews, the court now uses a hybrid in-person-virtual model for its compliance docket. In selecting a hybrid model, we wanted to preserve the lessons we learned about virtual hearings, including the ways that it expands access to the court.

Despite never having held a virtual hearing before, we were quick to adapt when the pandemic began, rescheduling defendants to appear via the court's new and secure virtual meeting platform. In doing so, we recognized the importance of compliance reviews in sending the message to defendants that the court was still operating and would hold them accountable for violations. This message was critically important given increased isolation and safety concerns for survivors.

Continued on page 3

IN THIS ISSUE

**VIRTUAL COMPLIANCE
REVIEWS IN DOMESTIC
VIOLENCE CASES**

**THE SAFETY NET
PROGRAM**

**LATEST NEWS FROM
OUR TEAM**

**SPOTLIGHT: DV RISC
PROJECT**

**Center
for
Court
Innovation**



SPOTLIGHT: THE SAFETY NET PROGRAM

BY THE NATIONAL NETWORK TO
END DOMESTIC VIOLENCE

Safety Net at the National Network to End Domestic Violence (NNEDV) focuses on the intersection of technology, privacy, confidentiality, and innovation, as it relates to safety and abuse by advocating for policies, educating and training advocates and professionals in the justice system, and working with communities, agencies, and technology companies to respond to technology abuse, support survivors in their use of tech, and harness tech to improve services.

Tech abuse is a widespread problem seen by advocates and legal systems professionals across the US. NNEDV's recent report funded through the Office for Victims of Crime, "[Tech Abuse in the Pandemic and Beyond](#)," shares findings from a needs assessment that included the participation of over 1,000 advocates and legal systems professionals. Participants reported that tech abuse increased during the COVID-19 pandemic. Survivors and their communities also encountered additional barriers to safety, justice, and healing.

Takeaways

- Be prepared for the likelihood that tech abuse tactics adopted during the pandemic will not be given up easily.
- Work collaboratively to promote digital equity and tech safety.

Technology can amplify abuse but is also used strategically by survivors and those who support them. [1] Moving forward, we should bring this knowledge even more deeply into our work to respond to and prevent violence and abuse while supporting the well-being of providers.

Key Findings

- The most common types of tech abuse - harassment, limiting access to technology, and surveillance - increased during the pandemic.
- Phones, social media, and messaging were the technologies most commonly misused as a tactic of tech abuse.
- Internet of Things (IoT) devices, next generation location trackers, and other emerging technologies are increasingly misused in tech abuse.
- Survivors' lack of access to technology, sometimes called the "Digital Divide," is a barrier to accessing services, legal support, courts, and other services and social supports.

Continued on page 5

Considerations for Virtual Compliance Reviews in Domestic Violence Cases

One of our first steps was to develop a guide for defendants with instructions for joining the review, how to prepare for a review, what to expect, and notices of any court rules such as recording policies. With the help of resources and collaborations, including drop-in calls hosted by the Center for Court Innovation, we developed our guide, “Tips for Preparing and Participating in a Virtual Court Proceeding.” This guide is given to each defendant prior to the virtual hearing.

We noticed that virtual reviews increased compliance on the misdemeanor and felony domestic violence dockets. Permitting defendants to appear using their mobile devices, means they can stay at work, not have to pay for transportation or parking, and stay home if they need to provide childcare. We have had people call in from their cars and breakrooms.

Recognizing the added value of virtual hearings, we adopted a hybrid model for compliance reviews. In keeping with our traditional compliance calendar, we review defendants every 30, 60, or 90 days depending on where they are in the program. We use the weekly compliance information from batterers intervention programs and probation officers that we already collect for reviews to determine virtual appearances as follows:

- If a defendant is enrolled in and attending groups and reporting to probation, we offer the option of virtual reviews.
- If a defendant falls out of compliance, we ask them to appear in person.

This hybrid model helps reduce the number of people in the courtroom and provides an important incentive for defendants to get into and stay in compliance. Running a hybrid compliance review, where defendants appear both in-person and virtually at the same time, requires special planning.

A necessary component of a compliance review is the “courtroom theater” aspect, in which compliant cases are heard first as an incentive for the individual and for the other defendants observing the case. Cameras, microphones, and screens have been placed throughout our courtrooms so everyone can see and hear both in-person and virtual participants. This is helpful since, for example, attorneys may be in-person while their clients are virtual or so defendants can still hear and see what happens during others’ compliant or non-compliant reviews. Court staff prepare dockets in advance with the compliance information and the judge is mindful to use names, microphones, and give reminders about mute functions. Some of our larger dockets are spread out into 30-minute docket calls so we can get to everyone efficiently, allowing the judges to meaningfully address both in-person and virtual defendants. The virtual room is accessible via a link that remains consistent rather than an “invitation.” This reduces work for court staff and allows court participants and attorneys to save the link for future uses minimizing confusion. The link is available in our guide and on our website.

Using a hybrid model has offered other benefits. It allows more community agencies to participate and provide additional resources and compliance information during court proceedings. At any time, we may have advocates, social service providers, probation officers, or pre-trial present. The option to participate virtually allows our compliance docket to continue with the same richness even if stakeholders decide to switch between remote work models. A hybrid model has also provided us with the opportunity for court observations. Media, statewide partners, technical assistance providers, and jurisdictions outside of our state have been able to watch and participate in follow-up dialogue with our team.

Adopting a hybrid model for our compliance dockets has been transformative. It increases participation, compliance, and accessibility. It allows us to share and learn. We plan to continue our use of technology in the courtroom well after the pandemic has ended.

LATEST NEWS

FROM OUR TEAM

The Gender and Family Justice team at the Center for Court Innovation continues to provide training and technical assistance to courts and communities across the country in enhancing their responses to domestic violence, and has been hard at work creating resources on emerging issues.

The Center recently published three new resources on domestic violence responses for criminal and tribal courts:

Addressing Domestic Violence in Rural Communities

Rural communities face unique challenges in responding to incidents of domestic violence, due to geographic isolation and a lack of resources, among other factors. Such challenges make it difficult for survivors in rural areas to seek safety. These 10 practices for criminal courts in rural communities offer strategies to protect survivors' safety and well-being, engage with abusive partners and hold them accountable, and collaborate within the community.

What Courts Should Know About Probation Supervision of Domestic Violence Offenders

Domestic violence cases involve serious safety concerns that make monitoring compliance especially difficult. Abusive partners may continue to harass and coerce their intimate partners without the knowledge of the justice system. For courts seeking to ensure compliance and support behavior change among people who abuse their partners, strong communication and collaboration with probation departments is key. This guide discusses what courts should know about specialized probation for domestic violence offenders, providing a series of questions that courts can ask and offering recommendations.

Strengthening Tribal Justice Systems' Response to Domestic Violence

Responding to domestic violence safely and effectively is a top priority for many tribal justice systems, especially given the high rates of domestic violence experienced by Native women. Strengthening the tribal justice response can take many, interrelated forms, but may include a specialized Domestic Violence Court as well as implementing Special Domestic Violence Criminal Jurisdiction under the Violence Against Women Reauthorization Act of 2013. This fact sheet outlines the ways these two interventions can complement and strengthen each other.

Finally, the Center's Abusive Partner Accountability and Engagement Training and Technical Assistance Project released a new publication entitled, Invisible Pain and Overlooked Violence: Abusive Partner Interventions in the LGBTQIA+ Community.

A companion to the Center for Court Innovation's **podcast episode** exploring strategies for abusive partner intervention programs within the LGBTQIA+ community, this document discusses the differences between intimate partner violence in cis-heteronormative and LGBTQIA+ relationships. This document outlines statistics on the prevalence of violence within queer and trans relationships; how power and control plays an important, albeit slightly different, role in LGBTQIA+ intimate partner violence; and how the Abusive Partner Accountability and Engagement Training and Technical Assistance Project's Guiding Principles can be applied when working with LGBTQIA+ individuals who have caused harm through intimate partner violence.

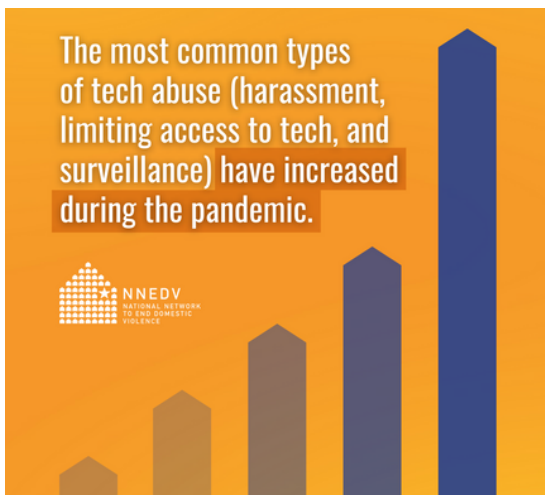
Safety Net, continued.

Thank you to the dedicated advocates and legal systems professionals who took the time to complete our survey in December 2020 to January 2021. Related research on victim services throughout the pandemic highlights what we have always known: that advocates and service providers are resilient and dedicated. They shifted to new ways of using technology to communicate with survivors and each other while coping with profound personal, professional, and pre-existing societal challenges and inequities. However, there is a cost to excessive flexibility and creativity in burnout, vicarious trauma, and exhaustion.[2] We're grateful for your responses and your work every day alongside survivors to increase safety, privacy, and healing.

For more on court responses to tech abuse, read the [Judicial Toolkit: Resources on Technology Abuse for Judges and Judicial Officers](#).

[1] Freed, et al. (2017); Matthews et al. (2017); Dragiewicz, et al. (2018); Richard & Gray (2018); Douglas, Harris, & Dragiewicz (2019); Harris & Woodlock (2019); Messing, et al. (2020); Leitão (2021)

[2] Wood, et al. (2020)



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This newsletter is sponsored by Award No. 2020-TA-AX-K015 awarded by the Office on Violence Against Women. The opinions, findings, or conclusions in this document are those of the authors and do not necessarily reflect the views of the Department of Justice.

SPOTLIGHT: DV RISC

The Center for Court Innovation is excited to share updates about our Domestic Violence Resource for Increasing Safety and Connection (DV RISC) project. DV RISC is a national resource center designed to help jurisdictions enhance their approaches to reducing risk and preventing homicide in intimate partner violence cases. With the support of the U.S. Department of Justice's Office on Violence Against Women (OVW), and in collaboration with national subject matter experts and the Culturally Specific Technical Assistance Providers (CSTAPs) Consortium, the Center's DV RISC Resource Center provides multi-disciplinary community readiness tools, training and technical assistance to communities working to identify and implement strategies that are grounded in a coordinated response to domestic violence homicide prevention and reduction.

There are a wide variety of tools, strategies and assessments for identifying, assessing and reducing domestic violence homicide. However, all communities have unique needs and benefit from differing tools in their pursuit of risk reduction and homicide prevention. Our [DV RISC website](#) offers an [Assessments At a Glance chart](#), which provides brief overviews of prominent tools, strategies and assessments for domestic violence homicide prevention.

Our recently launched [DV RISC Clearinghouse](#) features a wide variety of resources including research articles, factsheets, webinars, and podcasts on risk and lethality assessments, as well as promising practices in the domestic violence homicide prevention field.