

AT A GLANCE

Location of Court

Bemidji, Minnesota

Type of Court

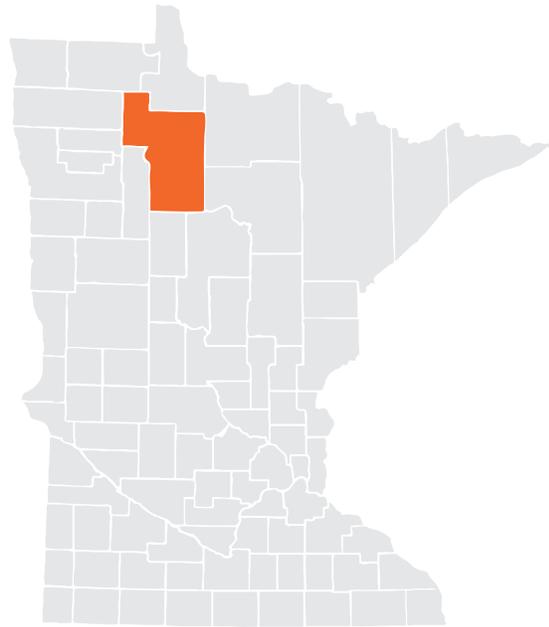
Criminal Domestic Violence Court and Coordinated Community Response Team

Project Goals

- Enhance victim safety and offender accountability through a coordinated community response
- Collaborate to identify system gaps and share best practices that will result in effective, culturally competent, and trauma-informed responses
- Use a “One Judge-One Family” integrated approach whenever possible
- Expand the Beltrami County approach to other counties in Minnesota’s Ninth Judicial District

BELTRAMI COUNTY DOMESTIC VIOLENCE COURT AND COORDINATED COMMUNITY RESPONSE PROJECT

The Beltrami County Domestic Violence Court and Coordinated Community Response Project brings together a multi-disciplinary team to handle misdemeanor through felony-level criminal intimate partner domestic violence cases from arrest through final disposition.



**Center
for
Court
Innovation**

520 Eighth Avenue, 18th Floor
New York, New York 10018
p. 646.386.3100
www.courtinnovation.org

This fact sheet is part of a series describing Domestic Violence Mentor Courts. Selected by the Office on Violence Against Women, Mentor Courts share their expertise and assist other domestic violence courts in implementing promising practices and procedures, and building the capacity of state court systems to respond effectively to these difficult cases.

COURT STAFF

- **Team coordinator:** coordinates all activities for the Domestic Violence Court and Coordinated Community Response team
- **Judges:** four dedicated specially-trained judges preside over a Domestic Violence Court docket rotating each week to hear assigned misdemeanor through felony-level cases
- **Specialized Domestic Violence Probation Unit:** Consists of two domestic violence-specific agents who manage all offenders from pre-trial supervision through probation expiration; Agents are also trained to co-facilitate the Batterers Intervention Program groups
- **Court bailiffs from Beltrami County Sheriff's Office:** trained to understand complex dynamics of intimate partner violence and use domestic violence-specific protocols/practices while providing court security for judges, staff and litigants
- **Legal Aid attorney:** attends every Domestic Violence Court hearing and has business hours within the courthouse to provide legal services to victims in civil cases when indicated
- **Court clerk:** maintain court calendars and assign cases; assemble and disseminate documents such as judicial orders, protection orders, and firearms affidavits
- **Community- and system-based victim service providers:** attend every Domestic Violence Court hearing, have business hours within the courthouse to assist and support victims and their families; provide safety planning, information about the legal process and victims' rights, court accompaniment and case notifications
- **Other project partners:** County Attorney's Office, Public Defender's Office, City Police Department, County Sheriff's Office, Health and Human Services including Child Protective Services, Representatives from the Leech Lake Band of Ojibwe and Red Lake Band of Ojibwe, Community Batterer Intervention Program Providers

CASE MANAGEMENT

Types of cases: The Domestic Violence Court hears criminal intimate partner violence cases; more specifically, misdemeanor through felony level cases.

Case identification, screening, and transfer: When probable cause is established by law enforcement, an arrest is made. The case is then forwarded to the County Attorney's Office to determine the charge. At arraignment, the judge and domestic violence court coordinator will be notified by the county attorney if the case qualifies for Domestic Violence Court. If qualified, the case will be assigned and scheduled on the next Domestic Violence Court calendar by the court clerk. Cases are assigned to pre-trial supervision at arraignment, and the alleged offender is instructed to make contact with the Domestic Violence Probation Unit immediately upon release. The court order is forwarded to the Probation Unit and the offender is then monitored by the Unit through disposition.

Information sharing: If there are multiple criminal cases against one defendant, all non-domestic violence cases will track with the Domestic Violence Court case and be heard in Domestic Violence Court. The Minnesota Court Information System (MNCIS) is completely electronic and

provides confidential access for the judiciary to track cases in other Minnesota courts. Progress reports are submitted each week by the Probation Unit for all offenders that are scheduled for a post-sentence compliance review. These reports are scanned into MNCIS for judicial review and contain information about the offender's batterers program attendance and participation, their status regarding other court conditions, and recommendations for the next compliance review.

A Domestic Violence Court Participant Handbook was developed for defendants to use during their time in Domestic Violence Court, to document their participation in the batterers program and/or chemical dependency treatment. Each participant is required to carry this handbook with them to each judicial compliance review and each group meeting. Facilitators sign the handbook at each group session and the Domestic Violence Court judge reviews attendance compliance. This is in addition to the progress reports sent directly to the court, which also describe recent program attendance.

A Microsoft Access database system was developed specifically for Domestic Violence Court. The court coordinator enters and updates information in the database and produces statistical reports for the Domestic Violence Court and Coordinated Community Response team. Victim safety and confidentiality is always considered when sharing information.

Schedule: Domestic Violence Court is held every Monday at 2 pm. Arraignments are held Monday through Friday at 11 am.

COMMUNITY STAKEHOLDERS

Frequency of stakeholder (project partner) meetings: Meetings are held on the first Friday of every other month from 12 to 1 pm, in addition to subcommittee meetings as needed.

List of stakeholders (project partners): Beltrami County Attorney's Office, Public Defender's Office, City of Bemidji Police Department, Beltrami County Sheriff's Office, Beltrami County Health and Human Services including Child Protective Services, Representatives and Batterers Program Staff from the Leech Lake Band of Ojibwe and Red Lake Band of Ojibwe, Community Batterers Intervention Program Providers, Ninth District Court Administration and Judiciary, North Homes Children and Family Services, Legal Services of Northwest Minnesota, Northwood's Battered Women's Shelter, Health Care Providers, Clergy and Area Schools.

VICTIM SAFETY

Court security: The courthouse features a single point of entry and has a metal detector and armed deputies at the entrance. All items are scanned and any weapons are confiscated. Cell phones are not allowed in the courtroom. Hats must be removed and gang-related colors are monitored. Domestic Violence Court participants are seated in the front two rows of the gallery. Other litigants and observers, including victims/complaining witnesses, are seated in the back two rows, creating a row of separation to honor orders of protection. Participants with current no contact orders against them are required to stay in the courtroom for 10 minutes following their

hearing to give victim litigants time to leave the courthouse safely. Security accompaniment to transportation is offered to any litigant requesting this service. A separate victim waiting room is available at the entrance of each courtroom.

All officers participate in ongoing training on the dynamics of intimate partner violence. Officers conduct a lethality assessment at the scene of all domestic violence-related calls, contact the domestic violence shelter with victim and incident information, and provide a victim's rights card at the scene. Lethality assessments are forwarded to the County Attorney's Office to aid in charging decisions, and to aid the judiciary in setting bail and release conditions.

Victim services: Services are provided to victims through the community-based domestic violence shelter, Legal Aid, the Domestic Violence Court probation agent, and the system-based Victim Services Coordinator. A community-based victim advocate and a Legal Aid attorney are available at the courthouse before, during and after all Domestic Violence Court hearings, as well as in the community. Community-based advocates are available 24/7 to provide crisis intervention for victims and their children and ongoing support and referrals when needed. Both community-based and system-based advocates provide on-site court advocacy and assistance during Domestic Violence Court and order for protection hearings, monitor court cases, and provide education and information to the public regarding intimate partner violence, sexual assault, dating violence and stalking. The Legal Aid attorney accepts referrals from project partners to offer legal assistance to all intimate partner violence victim litigants. All service providers commit to using a trauma-informed approach when serving victims and their children.

Risk assessment: The Danger Assessment is utilized by law enforcement, advocates at the domestic violence shelter, and the County Attorney's Office to assist with safety planning and charging and conditional release recommendations, and as a tool to encourage conversation between service providers and victims. During the Pre-Sentence Investigation (PSI), a Domestic Violence Inventory is completed by Probation Unit, with the defendant's participation, and becomes part of the case file. A copy of the PSI is ordered by the judge at sentencing, and is released to the facilitator of the batterers program.

OFFENDER ACCOUNTABILITY

Compliance reviews: Compliance reviews are held each week at the beginning of the Domestic Violence Court docket. If an offender's sentence includes probation or a conditional discharge based on compliance with specific conditions, judicial monitoring continues post-disposition for as long as the judge deems appropriate, typically every 4-8 weeks, extending further between reviews as compliance progresses. The judge will be notified by the probation agent when an offender is failing to satisfactorily participate in a Batterers Intervention Program or adhere to other court conditions. Probation provides updates to the court via progress reports that are scanned into MNCIS for review. Victim advocates maintain contact with probation, the Domestic Violence Court coordinator, and the County Attorney's Office, and can be heard by the judge regarding unauthorized contact with a victim as well as other victim reports related to the case. As a general

rule, if an offender is abiding by the sentencing conditions set by the court, defense counsel is not present at monitoring appearances. If an offender is not following the court's conditions (by violating a no-contact order, not completing programs, etc.), the offender is immediately violated and the offender's attorney will be required to attend the monitoring calendar.

Offender services: In order to modify the future behavior of those convicted of crimes involving intimate partner violence, batterers intervention programs, in addition to supervised probation, are almost always ordered. Beltrami County has contracted with multiple service providers who provide batterers intervention programs, as well as a 'women who use violence' program. These programs all use the Duluth Model curriculum with additional culturally-specific components based on Native values and culture, as directed by The Duluth Model and Mending the Sacred Hoop. Referrals can also be made to the Red Lake Band of Ojibwe's Batterer Re-Education Program and the Leech Lake Band of Ojibwe's Domestic Abuse Re-Education Program--both are culturally-specific, tribally-run batterers programs. Chemical dependency assessments are ordered for those who were using drugs and/or alcohol at the time of the offense. The judge orders the offender to follow the recommendations of the chemical assessment, which are monitored by probation and during compliance reviews. Typically, batterers program and chemical dependency services run concurrently unless the offender is placed in an in-patient treatment facility.

TRAINING

The Beltrami County Domestic Violence Court judges and project partners have participated in extensive specialized training that includes:

- *The National Judicial Institute's Enhancing Judicial Skills in Domestic Violence Cases Workshop*
 - Our Chief Judge has also served twice as a faculty team leader at the *Enhancing Judicial Skills Workshop*
- *National Training Institute on Strangulation Prevention*
- *Duluth Model: Creating a Process of Change for Men Who Batter* facilitator training
- *International Sexual Assault and Domestic Violence Conference*
- *Judicial Summit on Domestic Violence*
- *The National Judicial Institute's Continuing Judicial Skills in Domestic Violence Cases Workshop*
- *Numerous Domestic Violence Court Site Visits, Open Houses, and Orientations*

In addition, the Beltrami County Domestic Violence Court and Coordinated Community Response Team has hosted many interdisciplinary training events including:

- *Violence Against Women Conference* with special focus on Violence Against Women in Indian Country and Trauma in Indian Country
- *Duluth Model Coordinated Community Response Training*
- *Domestic Violence and Child Maltreatment Training* by national expert Lundy Bancroft
- Site visits for several communities striving to implement and/or enhance their systems response to domestic violence.

This project was supported by Grant No. 20 15-TA-AX-K023 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

Special thanks to the Beltrami County Domestic Violence Court and Coordinate Community Response Project staff for their assistance in creating this publication.