

## **AT A GLANCE**

### **Location of Court**

Tucson, Arizona

### **Type of Court**

Criminal Domestic Violence Court

### **Project Goals**

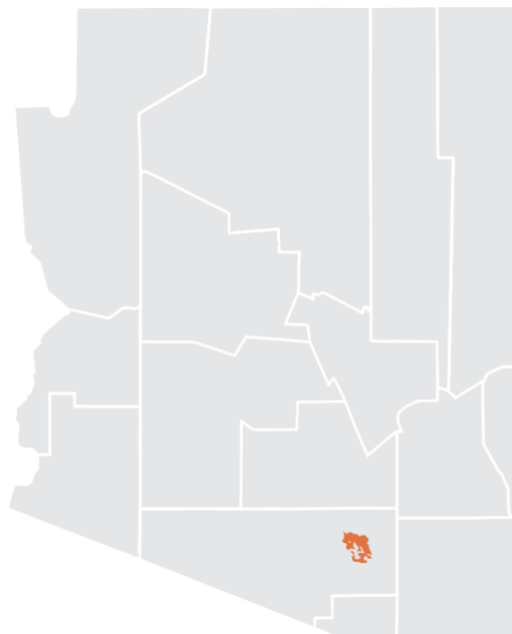
Enhance victim-survivor safety with risk assessment, accessible services, and advocate support

Enhance family safety by focusing on abusive partner accountability and effective treatment

Ensure that dedicated judges, court staff, attorneys, probation officers, and advocates are specifically trained in best practices in domestic violence cases.

## **TUCSON CITY DOMESTIC VIOLENCE COURT**

The Tucson City Domestic Violence Court is a high-volume criminal misdemeanor court.



## **COURT STAFF**

- **Judge:** trained judges preside over the Misdemeanor (MDV) and Felony (FDV) Domestic Violence Dockets.
- **City Magistrate:** The judge presides over all hearings including domestic violence arraignments, in custody hearings, pretrial hearings, change of plea hearings, bench trials, and court-supervised probation and monitored probation review hearings.
- **Court Coordinator:** Keeps statistics on all domestic violence dockets; works with Pima County Adult Probation Domestic Violence officers and domestic violence treatment providers with their reports for judicial review hearings, defendant and victim-survivor information, and petitions to revoke probation; regularly communicates with grant

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.

partners on ideas for making the court procedure more accessible for victim-survivors and the Deaf community.

- **Advocates:** Three community-based advocates help victim-survivors navigate the criminal justice system, provide domestic abuse education, and offer individualized safety planning, all in a safe, trauma-informed environment. One advocate provides additional support for victim-survivors who are at higher risk due to strangulation, firearms allegations, and other risk factors.

## CASE MANAGEMENT

**Types of cases:** Intimate partner criminal misdemeanor domestic violence cases. The court keeps the most serious cases (as determined by the prosecutors) and defendant is assigned a public defender.

**Case identification, screening, and transfer:** All misdemeanor domestic violence intimate partner cases that are processed through the Tucson Police Department are scheduled before the Domestic Violence Court judge for an arraignment or in custody hearing. Many of the cases in the Domestic Violence Court are felony-level charges declined by the Pima County Attorney's office, including many strangulation cases and firearms cases.

**Information sharing:** The coordinator works with the judge and organizes projects and trainings. The coordinator is responsible for communicating with treatment providers and probation officers before review hearings, as well as for obtaining reports, probation revocations, and other information for the judge to review. The coordinator also works with the attorneys and advocates on a regular basis to problem-solve and provide support.

**Schedule:** Domestic Violence arraignments are held every Tuesday afternoon. In custody hearings are held once a week on Wednesdays. On average, 15 to 20 offenders per week are in custody for these hearings. The rest of the week includes pretrial and bench trial settings.

**Caseload:** 1,500 – 2,000 open cases on average

## COMMUNITY STAKEHOLDERS

Meetings include the Domestic Violence Court attorneys, including prosecutors and public defenders; advocates and leaders from Emerge Center Against Domestic Abuse; and the court staff and judge. Meetings occur roughly every two months to address issues that arise in court,

as well as new policies and procedures. The group also meets quarterly where probation monitors and officers, treatment providers, police officers, and others also attend.

**Frequency of stakeholder meetings:** Quarterly

**List of stakeholders:**

- **The judge and court staff.**
- **City Prosecutors:** assigned to Domestic Violence Court.
- **City Public Defenders:** assigned to Domestic Violence Court, as well as private conflict attorneys.
- **Emerge Center Against Domestic Abuse:** provides services in English and Spanish, including a 24/7 crisis hotline, safety planning, emergency shelter, housing assistance, case management, domestic violence education, individual and family support sessions, support groups, information and referral, lay legal services, and holistic treatment modalities.
- **Community Outreach Program for the Deaf (COPD):** provides an array of services to persons who have a hearing loss and acts as the “one stop” center providing counseling, case management, employment services, communication access, and community and personal support.
- **Pima County Adult Probation officers**
- **Corrective Solutions Probation monitors**

## **VICTIM-SURVIVOR SAFETY**

**Court security:** The Domestic Violence Court has enhanced security for several courtroom sessions, and trained courtroom security staff are present during all domestic violence arraignments. Additionally, off-duty Tucson Police officers work at the court and are available to serve protection orders, escort victim-survivors out of the courthouse, and monitor the safety of all victim-survivors, attorneys, and advocates inside and outside of the courtroom. Anyone who fears for their safety can ask for security escorts and presence during any courtroom proceeding.

**Victim-survivor services:** The Emerge advocates are available at all court hearings. On arraignment days, the court sees an average of 30 offenders. Advocates speak to every victim-survivor who appears before the judge arraigns the person causing harm. Then the victim-survivor is given the opportunity to address the court at the arraignment and review of conditions of release. The advocates not only support victim-survivors in the courtroom but also link them to community resources, assist them in filing Orders of Protection, make referrals for

ongoing case management, legal aid services, and safe housing assistance, and as well as facilitate access to emergency shelter.

This project addresses Deaf victim-survivors' safety needs by educating the community, making services more available to Deaf victim-survivors, and providing a Deaf advocate. Emerge now has the appropriate equipment to communicate and allow victim-survivors to communicate with their family and friends; advocates who are trained in Deaf culture; and partnerships with Deaf agencies such as COPD and DeafHope. The Court provides separate interpreters for victim-survivors of domestic violence in court hearings, outreach, education, and advocacy. Emerge has established relationships with Certified Deaf Interpreters and ASL interpreters in the community.

**Domestic Violence Risk Assessment:** All law enforcement agencies in Pima County use the APRAIS risk assessment tool, which is then provided for Emerge, the court, and the impacted parties.

## **ENGAGEMENT AND ACCOUNTABILITY FOR PEOPLE WHO CAUSE HARM**

**Compliance reviews:** Whether offenders are placed on probation to the court or on adult probation after conviction, the Court holds review hearings with probationers, probation officers, and treatment providers. The coordinator works with probation officers, treatment providers, attorneys, and other court staff, and court-monitored probation reviews are heard by the judge every week. Each of the treatment providers sends a counselor from their agency to attend these hearings, which allows for direct contact with the judge should any questions arise about a defendant's attendance or demeanor in their abusive partner intervention program.

Counselors also attend supervised probation review hearings that are overseen by the judge and attended by probation officers. The coordinator works with the probation departments to gather their progress reports for each defendant, and probation officers also give verbal reports to the judge during the hearing.

The court employs a deferred jail method to impose intermediate sanctions, based on drug court models. A certain amount of jail time is deferred at sentencing (as opposed to the suspended jail sentence). During probation reviews, if the defendant is missing drug tests, missing program sessions, or otherwise non-compliant, the judge can use some of the deferred jail time to order the defendant to serve a short sentence as a sanction for non-compliance, short of revocation of probation.

**Services for people who cause harm:** The Court only uses Abusive Partner Intervention Programs (APIPs) which have been approved through a process developed by the court in order to ensure offenders are receiving the most effective treatment. Public Defenders are appointed to all offenders on pending cases, for any appeals and for any probationers facing jail time-deferred or as a Petition to Revoke. The Court defers all court fines and fees while offenders are on probation and complying with treatment programs.

In May 2015, Emerge Center Against Domestic Abuse began providing Domestic Violence Orientation sessions for all male probationers convicted of intimate partner abuse. Domestic violence probationers must complete a 3.5-hour session within 30 days of their sentence to probation.

The orientation curriculum is based on the Men Stopping Violence model. Sessions are offered twice a month and are co-facilitated by two male advocates from Emerge. The facilitators use open and non-judgmental dialogue to engage men about their use of abusive and intimidating tactics against their partners to enforce and maintain power and control; their attitudes and choices; and who they want to be as husbands, partners, and fathers. The orientation prepares and motivates them to participate more honestly and successfully in the abusive partner intervention program they will be assigned to by their probation officers. Anecdotally, program providers reported that men who have attended Domestic Violence Orientation engage more quickly and honestly in their intervention classes. Emerge also developed a Domestic Violence Orientation for women on probation for their use of force against their partners which will be implemented in the near future.

**Programming for people who cause harm:** The Court has an approved list of abusive partner intervention programs and the people who are sentenced can only participate in the approved options. These providers agreed to provide reports that are up to date and accurate for review hearings (using a special reporting form), send a representative to review hearings, and agree to any training sponsored by the Domestic Violence Court and Emerge.

There are seven agencies on the Court's list presently, and offenders are sentenced to complete 26, 36, or 52 sessions depending on their number of previous convictions. Providers use the Duluth Model, Men Stopping Violence, Emerge, and Domestic Violence Moral Reconciliation Therapy curricula and some are also training on Family Peace Initiative. Many of the agencies also offer substance abuse programming, mental health consultations and treatment, and parenting classes.

## LEGAL SERVICES

Victim-survivors may receive access to legal services through Emerge, which has connections with Step Up to Justice and Southern Arizona Legal Aid, in addition to the University of Arizona's Family Law clinic. Additionally, several Emerge advocates have been trained as lay legal advocates under a pilot program through the University of Arizona School of Law.

## DOMESTIC VIOLENCE TRAINING

The Court and partners have provided training to attorneys, interpreters, court staff, judges, and probation officers on topics such as dynamics of domestic violence, advocacy, protective orders, accountability programs, risk assessments, and responding to community needs.

The court, staff, and partners have participated in numerous trainings with the Office of Violence Against Women, Battered Women's Justice Project, Vera Institute, Center for Justice Innovation, and National Council for Juvenile and Family Court Judges, including sessions on language services and abusive partner intervention.

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