

RECOVERY COURTS AND DOMESTIC VIOLENCE



Meet our Judges' Panel

Moderator:

Honorable Jack S. Hurley, Jr., Chief Judge, 29th Judicial Circuit

Panel:

Honorable Sage B. Johnson, Judge, 28th Judicial Circuit

Honorable Stephanie Murray Shortt, Judge, 27th Judicial District, Juvenile and Domestic Relations

Honorable H. Lee Chitwood, Judge, 23rd Judicial District, Juvenile and Domestic Relations



Terminology

- **Domestic violence (DV)**- Includes siblings, parents, etc. in some states
- **Intimate Partner (IP)**
- **Intimate partner violence (IPV)**- Physical, sexual, or psychological harm by current or former partner or spouse
- **Substance Use Disorder (SUD)**
- **Victims and Survivors**



Occurrence IPV Victimization

	<u>Women</u>	<u>Men</u>
Physical Violence	32.4% (39.1 mil)	28.3% (32.3 mil)
Severe physical violence	23.2% (28 mil)	13.9% (15.9 mil)
Contact sexual violence	16.4% (19.7 mil)	7.0% (8 mil)
Stalking	9.7% (11.7 mil)	2.3% (2.6 mil)
Any IPV-related impact	27.4% (33 mil)	11.0% (12.6 mil)

CDC's National Intimate Partner and Sexual Violence Survey - State Report (2017)



Lethal IPV

	<u>Women</u>	<u>Men</u>
Homicide victims	21%	79%
Killed by intimate partner (Current or former)	37%	3%
By firearms	22%	1.5%

CDC's National Violent Death Reporting System (NVDRS) (2015)



CONNECTIONS BETWEEN SUDs AND DV/IPV

- 25% to 50% of men who commit DV have an SUD
- Up to 80% of Child Abuse cases involve drug or alcohol use
- Women who abuse drugs or alcohol are more likely to become victims of DV
- 50% of Batterers are in active addiction
- Over 50% of defendants charged with murder of a spouse were drinking alcohol at the time of the murder, as well as almost 50% of the victims.
- Childhood physical abuse is linked to youth onset SUDs

IPV Risk Factors

- Access to lethal weapons
- Threats to kill partner
- Threats of suicide
- History of physical, sexual, or emotional abuse toward intimate partners
- History of violent behavior toward family members, acquaintances, and strangers
- Relationship instability, especially recent separation or divorce
- Presence of other life stressors, including employment/financial problems or recent loss, unemployment
- Evidence of mental health problems and/or substance abuse



Risk Factors (Cont'd)

- Childhood history of witnessing or being victim of family violence
- Resistance to change and lack of motivation for treatment
- Antisocial attitudes and behaviors
- Attitudes that support violence toward women
- Pattern of coercive control
- Stalking
- Strangulation
- Forced sex



Recovery Courts

- Participants have MANY of the same Risk Factors
- 30-40% of Participants have co-occurring Mental Health Disorders (Reported)
- Most Participants are, or have recently been, in problematic relationships
- Most IP(Intimate Partners)of Participants also struggle with SUDs



Recommendations for Individual Recovery Courts To Consider

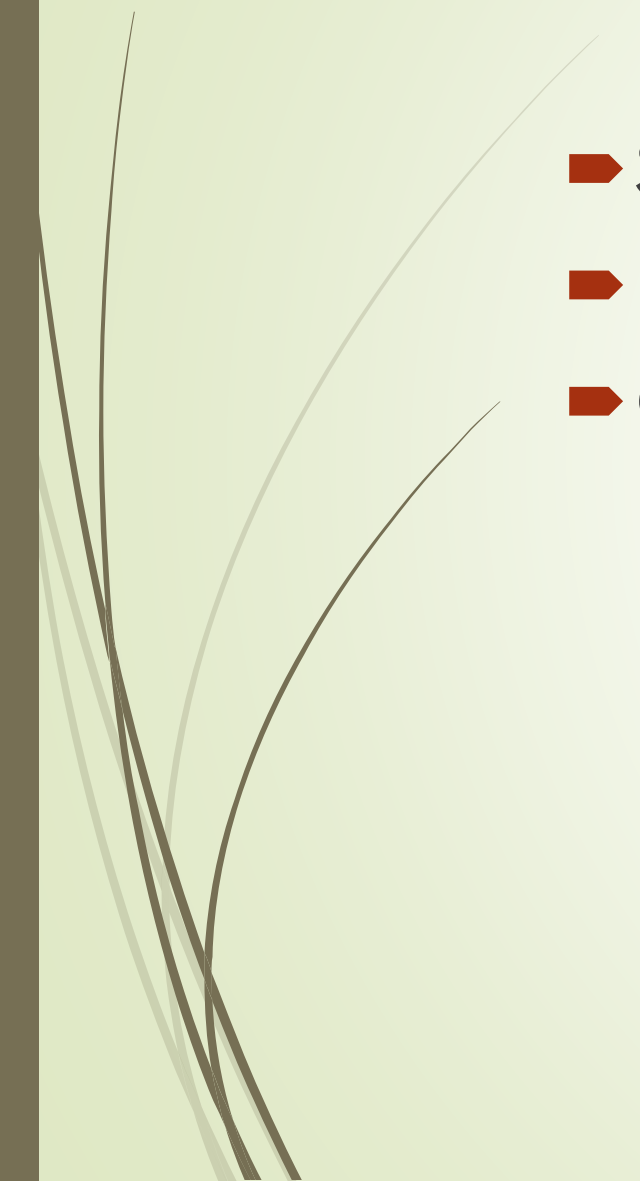


Develop a Victim Component

- **Connect victims to a community-based victim advocates**
 - Part of Domestic Violence Court model
 - Risk & danger assessments
 - Safety planning
- **Connect victims to community resources**
 - Legal services, shelter, employment services, etc.
- **Develop a victim communications plan**
 - With whom will info be shared?
 - Conducted separate from Recovery Court participants?

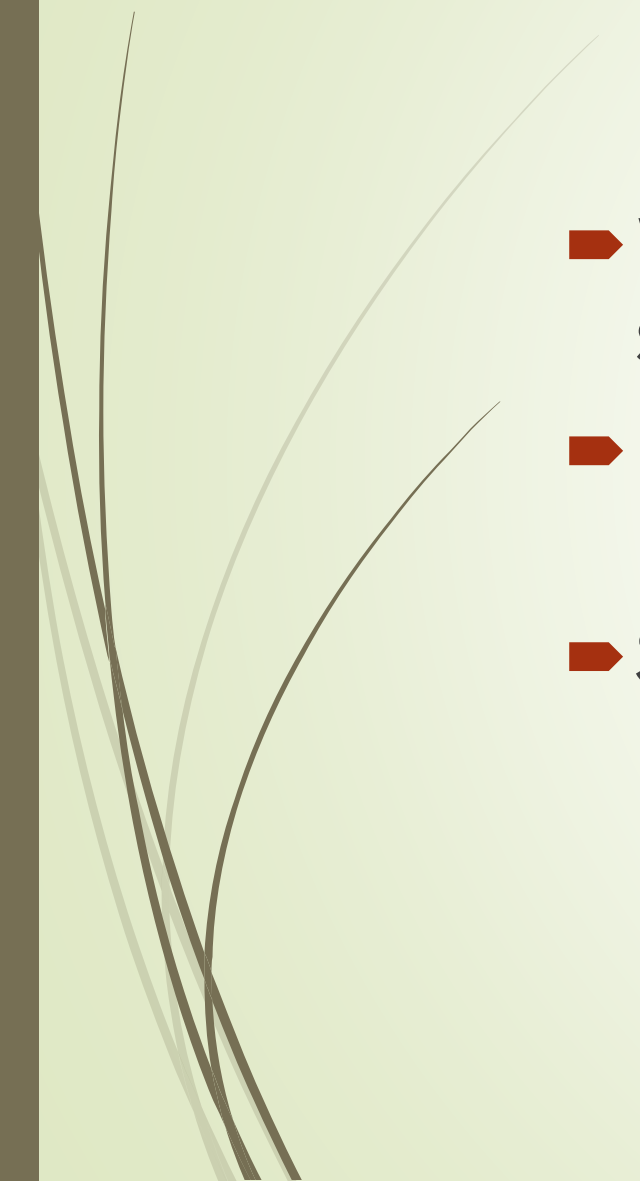


Screen for IPV

- Screen ALL participants for IPV
 - Do not rely solely on self-reporting
 - Obtain information from multiple sources
 - Victims & former partners
 - Prior police reports
 - Protection order affidavits & protection order registries
 - National Crime Information Center (NCIC)
 - Military records
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IPV Treatment

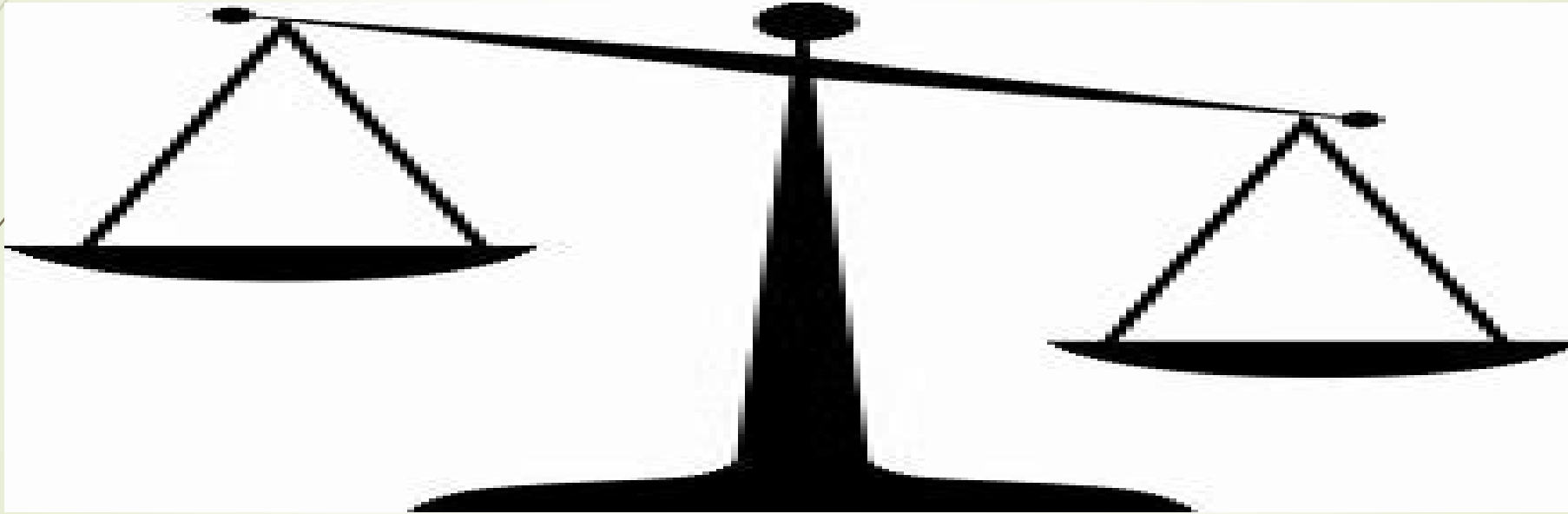
- Where IPV history is identified, develop or utilize separate and specific IPV treatment
 - Utilize appropriate DV/IPV/Batterers Intervention Programs
 - Seek IPV specialist for the Recovery Court Interdisciplinary Team
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IPV VICTIM ID & EDUCATION

- Screen all Participants for victims of IPV
- Always interview regarding DV/IPV in private
- Develop a Victim Component
- Seek a Community-based IPV victim advocate
- Develop a Safety Plan, including a reporting procedure
- Refer to LEO to document any physical evidence of IPV

CRIMINAL JUSTICE SYSTEM MEETS SUBSTANCE USE DISORDER



JUSTICE/ACCOUNTABILITY
COMMUNITY PROTECTION

MERCY/RESTORATION OF
PERSONS WITH A BEHAVIOR-
ALTERING DISEASE

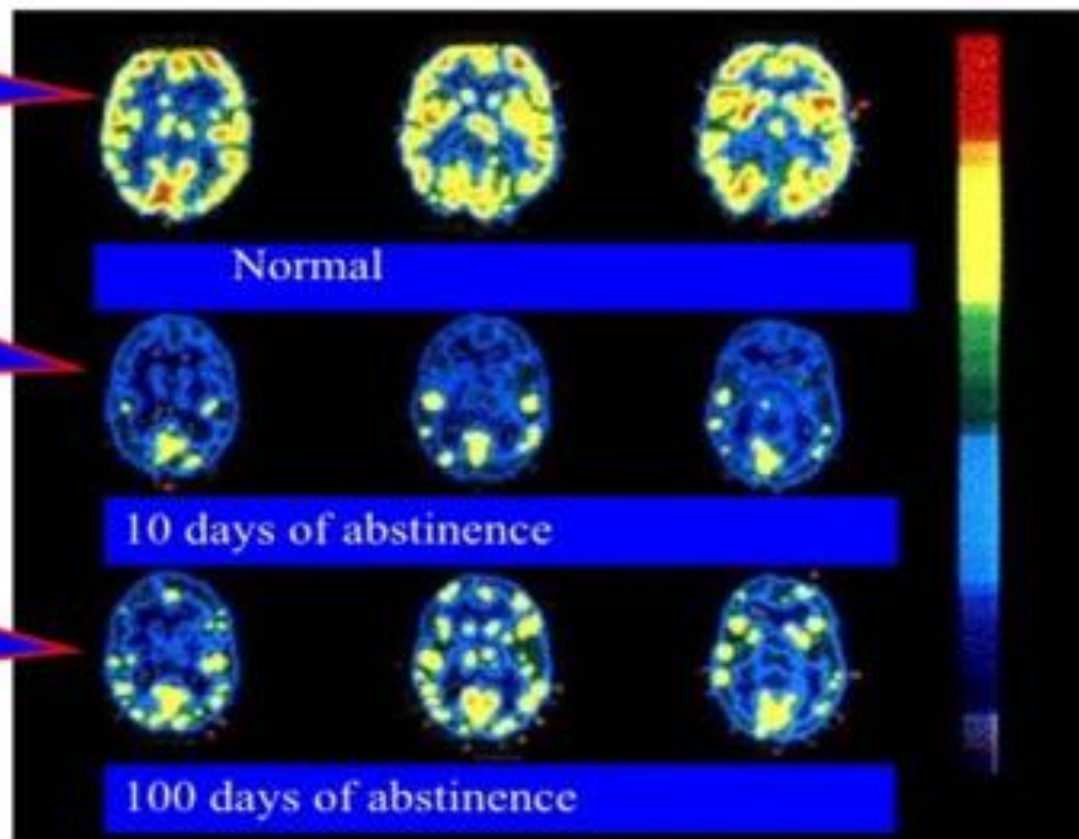
Addiction is a Disease, Not a Moral Failure

Brain Healing Takes Time

Normal levels of brain activity in PET scans show up in yellow to red

Reduced brain activity after regular use can be seen even after 10 days of abstinence

After 100 days of abstinence, we can see brain activity "starting" to recover



Source: Volkow ND, et al. Synapse 11:184-190, 1992; Volkow ND, et al. Synapse 14:169-177, 1993.

Science = Solutions

THERE IS HOPE YOU'RE MAKING A DIFFERENCE



Completion...

During the Tazewell County Adult Drug Court, Ashley Lewis and Justin Vest were honored when they graduated from the program Monday. General District Court Judge Jack S. Hurley Jr., left, holds Brooklyn, Vest's daughter, while Vest gives a speech after receiving his certificate of completion.

Staff photo by Erik



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bdtor

16 Drug Free babies born in the
Tazewell County Adult Recovery
Court in the past 14 years!

Recovery Courts

“Providing Treatment, Promoting Recovery, and Saving Lives”



Resources

Commission on Domestic & Sexual Violence

www.americanbar.org/groups/domestic_violence.html

Domestic Abuse Intervention Programs (DAIP)

www.theduluthmodel.org

Aequitas

www.aequitasresource.org

Center for Court Innovation

www.courtinnovation.org/topic/domestic-violence

International Association of Chiefs of Police

www.theiacp.org/Police-Response-to-Violence-Against-Women

Brian Clubb, Battered Women's Justice Project

bclubb@bwjp.org

Treatment Improvement Protocol (TIP) Series, No. 25

<https://www.ncbi.nlm.nih.gov/books/n/hssamhsatipcollect/>

-Questions from Registration-

- 1. Is data collected to show the efficacy of Recovery Court? For example, the percentage to make it to graduation, percentage who end up back in the criminal court system in 1 year, 3 years, 5 years.....**
- 2. What is the biggest need you see in relation to juveniles and domestic violence?**
- 3. What is the most overlooked item by attorneys on these type cases?**
- 4. How can we, as DV/SA advocates, best prepare and support our clients throughout the court process.**
- 5. What changes in legislation, policy, or community resources would make the greatest difference in helping courts address substance use and domestic violence more effectively?**
- 6. What key challenges and opportunities do you see in recovery courts, domestic violence cases, and substance abuse cases, and how can local Circuit and Juvenile & Domestic Relations Courts strengthen collaboration to improve outcomes?**
- 7. How do you approach cases where substance abuse and domestic violence are intertwined?**
- 8. How can we make sure that a victim's safety and recovery remain central to the court process?**