

Jefferson County District Court

Louisville, KY

FAMILY ENHANCED SUPERVISION COURT
EVALUATION

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Executive Summary

The purpose of this study was to evaluate the efficacy of The Family Enhanced Supervision Court (FESC) in reducing recidivism of domestic violence. This pilot project in Louisville, Kentucky Jefferson County District Court was based on the recommendations of a court watch program from the National Council of Jewish Women (NCJW). Judge Angela McCormick Bisig, The Jefferson County Attorney's Office, and many court stakeholders, with the approval of the KY Supreme Court, set up the parameters for this court as a means of reducing recidivism of domestic violence. Researchers compared data reviewed from 102 charts, half from the Family Enhanced Supervision Court (FESC) and half from the Regular District Court domestic violence cases. The chi-square test of association reflected a statistically significant relationship ($\chi^2(1) = 7.493, p = .006$) between the Family Enhanced Supervision Court and reduced recidivism in intimate partner domestic violence. In other words, these results indicate that there is a relationship between participation in the FESC and reduced incidents of domestic violence which could be expected in the general population.

Keywords: *domestic violence, recidivism, enhanced supervision court, risk assessment, community supports.*

Acknowledgements

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About the Authors

Dr. Judith Heitzman, Principal Investigator, is a licensed clinical social worker in private practice in Louisville's Highlands' neighborhood, a part time faculty member at the University of Louisville, Kent School of Social Work, and a member of U of L's Faculty Senate. Her research interests include violence reduction and recovery.

Dr. Theresa Hayden, Co-Investigator, is a faculty member at the University of Louisville, School of Justice Administration. Her research interests are neighborhood community effects on health and violence.

Introduction

The purpose of this evaluation was to study the efficacy of the Jefferson County, Kentucky Family Enhanced Supervision Court (FESC), which completed its first year of functioning in May, 2007. This court was created after extensive study of ways to address problems facing the courts in their efforts to address the crime of domestic violence, and as a means to further deter domestic violence in Jefferson County, Kentucky.

Program Overview

In the current criminal justice system, an individual charged with a crime involving domestic violence has their case handled on one of four felony/misdemeanor dockets or two warrant court dockets. Once a determination of guilt is made, either through a trial or plea agreement, the individual appears before the court to receive a sentence. The sentence can include jail time, probated jail time, a fine and/or orders to treatment. This ends the perpetrators' contact with the criminal justice system unless they are non-compliant with court orders or reoffend. If perpetrators neither violate an order of "no contact" with their victims, nor fail to go to treatment, then they do *not* return in front of a judge.

In the Family Enhanced Supervision Court, perpetrators/defendants appear on one of the regular criminal dockets in Jefferson District Court for a determination of guilt. Then as part of the resolution of their case, they agree to continue appearances before the Family Enhanced Supervision Court over a two year review process. They are required to report back to the Family Enhanced

Supervision Court judge within 30 days after their plea of guilt and at regular intervals thereafter.

The judge is able to meet the defendant, his or her family, and learn about their work and home life. The judge also regularly corresponds with the treatment providers for each defendant appearing on the docket to get detailed reports concerning their attitude and progress in counseling. The judge may even give written assignments to the defendants to journal about how they are using techniques learned in treatment to resolve conflict at home. If there are any new offenses while the defendant is participating in the Family Enhanced Supervision Court docket, then those offenses are to be reported immediately to the presiding judge.

Additionally, it is an important component of the docket that any further crimes of a domestic nature will be transferred to the Family Enhanced Supervision Court to be heard by the same judge. This insures a level of continuity and knowledge about the case and the family evolved that is not currently possible on the regular court docket. The Family Enhanced Supervision Court judge then becomes that defendant's judge for future domestic charges as part of their agreement to participate in the program.

Upon successful completion of the Family Enhanced Supervision Court, the defendant is able to have his or her underlying conviction set aside and dismissed. It is the goal that after the two years of court accountability and review of their family involvement and conflict resolution skills, these individuals will have a far greater likelihood of continuing to resolve disputes in their family

violence-free. For this reason, it is important to study the recidivism rate of individuals whose cases are handled on the Family Enhanced Supervision Court docket compared to those handled on the regular court docket. It is the *primary* goal of the Family Enhanced Supervision Court to reduce recidivism rates of domestic violence among the people of Jefferson County, KY.

Problem Statement

Domestic violence is a social and public health problem in the United States (Tjaden & Thoennes, 2000). While the Family Enhanced Supervision Court does not exclude any type of domestic violence, (i.e. female against male or same sex violence), it has been noted that “violence against women is primarily intimate partner violence: 64.0 percent of the women who reported being raped, physically assaulted, and/or stalked since age 18 were victimized by a current or former husband, cohabiting partner, boyfriend, or date. In comparison, only 16.2 percent of the men who reported being raped and/or physically assaulted since age 18 were victimized by such a perpetrator” (CDC Report, 2000, p. iv). Johnson (2005) further clarified that “situational couple violence is asymmetric in the sense that men’s violence produces more frequent and more severe injuries, thereby producing a fear (or even terror) that is quite rare when women are violent toward their male partners” (p. 1129).

Domestic violence is defined here as intimate partner violence, including spouses, ex-spouses, paramours, and ex-paramours. In Jefferson County, Kentucky, one community advocacy group that stepped up to address this issue is the National Council of Jewish Women (NCJW). After a comprehensive study

by NCJW, the Family Enhanced Supervision Court began in Jefferson County, Kentucky in May, 2006.

Program Evolution and History

The evolution of the Family Enhanced Supervision Court has its roots in a comprehensive study on the problem of domestic violence. As a means of addressing this problem, the National Council of Jewish Women initiated a community service program entitled NCJW Court Watch Project in 1994. As co-chairs of this project, Connie Fox and Diane Grater from NCJW made the following recommendation:

After monitoring the court, collecting data, interviewing key players involved with domestic violence and our court system, and visiting several other separate domestic violence courts in different states, it is the unanimous decision of our volunteers and the board of NCJW, Louisville, to endorse the establishment of a domestic violence criminal specialty court in Jefferson County (NCJW, 1999).

In addition to 75 volunteers and committee members dedicated to this project, NCJW had the support of such community leaders as The Jefferson County Office for Women, The Kentucky Domestic Violence Association, Victim Advocate at the Center for Women and Families, Chief Prosecutor, Domestic Violence Unit, Victim Advocate, County Attorney's Office, County Attorney, Jefferson County, KY; and the Chair of the Sociology Department, Spalding University.

The NCJW Court Watch Project. As part of the mission of advocacy for women and children, the identification of domestic violence as an important social issue and the subsequent recommendation of the NCJW Court Watch Project included the following activities: 1) Undertaking a court watch project with trained volunteers attending Jefferson County District (misdemeanor/felony) court weekly to monitor and document court proceedings of cases involving domestic violence, 2) Observing Family Court domestic violence offender hearings for three months, 3) Moderating two study groups, including national and local experts speaking on the advantages and disadvantages of a separate domestic violence criminal court, 4) Hosting a series of six round table discussions involving representatives of the key players in domestic violence cases, (i.e., victims, police, judges, prosecutors, defense attorneys, etc.), and 5) Co-chairing a workshop at the Silent Witness National Initiative Conference on domestic violence in Washington, D.C.

Court Watch Issues. By 1997, the NCJW noted a number of issues that warranted addressing in the domestic violence courts. Among these were: 1) An estimate that a woman is assaulted every 90 minutes in Jefferson County, KY, 2) Fragmentation of services spread out over five district criminal courts, three felony/misdemeanor courts, and two warrant courts, and that some issues involving emergency protective orders and domestic violence orders were handled in Jefferson County Family Court (personal communication, Judge Angela Bisig, August 7, 2009), 3) Continuity and roles of judges, 4) In a scrutiny of current court processes, it was noted that in a three month period, 14 different

judges presided over domestic violence cases in six different courtrooms, and as often as 93% of the time, the judge was accepting the prosecutor's recommendation without discussions of the facts, 5) Ninety-two percent of the time the case took less than three minutes, and 50% of the time, less than one minute to process, 6) Judges have an important role to play in ensuring victim safety and perpetrator accountability and need more than one to three minutes to "instill in batterers any impressions of seriousness or accountability from the bench" (Judge Jerry Bowles, personal communication with NCJW, 1999), and 7) Efficacy of judicial procedures. Almost half of the domestic violence cases brought before the bench were continued.

Thus, after four years of study, it was the recommendation of the NCJW that Jefferson County, KY establish a domestic violence criminal specialty court.

The Jefferson County Family Enhanced Supervision Court

In May, 2006, the first cases were heard on the Family Enhanced Supervision Court docket. Under the leadership of Judge Angela McCormick Bisig, who volunteered her time on this bench, and Ms. Susan Ely, Prosecutor for the Domestic Violence Docket, the first cases were re-directed to the Family Enhanced Supervision Court docket.

Eligibility criteria for Family Enhanced Supervision Court docket. In order to be eligible to participate in the FESC, the following criteria were reviewed by the prosecutor's office: 1) The domestic violence incident was a first offense (per the court records) to which the perpetrator pled guilty, 2) No lethal weapon was used in the incident, 3) No children were present at the time of the

incident, 4) The offender agreed to continue to communicate with the FESC on a regular basis for a period of no less than two years, and 5) There were no felony offenses. Once participating in FESC, persons referred were required to meet regularly with the judge and complete a 20+week domestic violence offender treatment program as required for all perpetrators of domestic violence who are mandated by the court to treatment in Kentucky. Perpetrators also agreed that if they committed any further domestic violence offenses, their case would come before their Family Enhanced Supervision Court judge. Persons who were found guilty of an additional domestic violence offense were no longer eligible for participation in the FESC. However, persons who successfully completed the FESC criteria were then able to have their underlying criminal conviction for a domestic violence offense set aside and dismissed.

Evolution of the Family Enhanced Supervision Court. In September, 2007, there were approximately 50 cases being heard on the Family Enhanced Supervision Court docket. While Judge Angela Bisig continued reviewing cases, Judge Jacqueline Eckert began a separate court docket, for which she also volunteered her time. The Jefferson County Sheriffs' Office and Jefferson County Clerks' Office also demonstrated great commitment to this project by agreeing to staff this additional docket. The rising need for the Family Enhanced Supervision Court had caught the attention of the Prosecuting Attorney's Office and was beginning to illuminate its efficacy by sheer compliance and lack of recidivism on the part of the perpetrators as observed by some Domestic Violence Offender Treatment Providers.

Need for an Empirical Evaluation of the Family Enhanced

Supervision Court. The Family Enhanced Supervision Court continued to grow in participation. Voluntary time from judges and overtime burden of support staff such as court workers and sheriffs challenged the continuation of this court. In addition, the Jefferson District Court and the County Attorney's Office believed it necessary to conduct an evaluation of the FESC protocol to determine if it should be used in all domestic violence cases in Jefferson County, KY. It was time to evaluate the efficacy of this court using empirical methods of observation.

As the numbers of referrals grew, a providers' sub-committee examined ways to fine tune the process of referral and management of the Family Enhanced Supervision Court (FESC) docket. This committee included judges of the FESC, management of the Office of Probation and Parole, prosecuting attorneys, representatives from NCJW, representatives from domestic violence offender treatment providers, and persons committed to provide an empirical evaluation of the diversion court. Empirical literature on domestic violence recidivism was also reviewed for this evaluation.

Literature Review

The purpose of this program evaluation was to determine the efficacy of the Family Enhanced Supervision Court in deterring or reducing recidivism rates of domestic violence in Jefferson County District Court in Louisville, KY. Several themes in the literature were reviewed to determine the validity of such claims.

Perpetrators who were eligible for the Family Enhanced Supervision Court had the opportunity to self refer. Lee, Uken, and Sebold (2007) studied the role of

self determination in reduction of domestic violence, and concluded that self referral can contribute to a significant reduction in recidivism (58% in their study). Lee et al. (2007) defined recidivism as the reoccurrence of another domestic violence episode.

Coulter and VandeWeerd (2009) reviewed the relationship between multi-system interventions and the recidivism rate in both domestic violence offenses and other crimes. In a study of re-arrest rates in 17,999 cases from 1995 to 2004, Coulter and VandeWeerd (2009) concluded that “recidivism rates were substantially lower for participants who completed the programs when compared to those who did not and that the re-arrest rates were substantially lower than are generally found in the literature on batterer recidivism” (p. 139).

Kindness, Kim, Alder, Edwards, Parekh, and Olson (2009), studied court compliance as a predictor of recidivism, including possible predictors of repeated criminal behavior. Their results “illustrate the importance of monitoring multiple dimensions of defendant behavior while under court supervision and of communicating information on noncompliance with victims and advocates to assist in safety planning efforts” (p.1222).

In a policy review concerning domestic violence and the courts, Dixon (2008) submitted “that the mandatory arrest, prosecution, and judicial monitoring associated with problem-solving DV courts, especially misdemeanor courts, are also part of social governance in the decline of penal welfare. While imprisoned felons are disenfranchised and excluded, misdemeanor DV offenders in problem-solving courts are monitored and regulated” (p. 667).

Claims that an enhanced supervision court could address ways to reduce recidivism in domestic violence, particularly in intimate partner violence, appear to be supported in these empirical studies on domestic violence.

Goals and Objectives of the Family Enhanced Supervision Court Evaluation

Goals. The primary goal of this study was to gather and evaluate data provided by the court on perpetrators of domestic violence. Specifically, this was to evaluate if the goals of the Family Enhanced Supervision Court, which are to reduce recidivism and increase compliance with mandated treatment, were occurring. The activities of the FESC require perpetrators to attend a minimum of 20 weeks of a domestic violence offender treatment program with designated providers approved by the court. This is also required of all domestic violence perpetrators who are ordered to Domestic Violence Offender Treatment in District (Regular) Court. In addition, however, those persons coming through Family Enhanced Supervision Court (FESC) also agree to stay active with the FESC for a period of no less than two years, and meet at regular intervals with the judge to review treatment progress and life management. If domestic violence recidivism or other violence occurred, persons participating in the Family Enhanced Supervision Court were discharged and subsequently remanded to the District or Criminal Court docket.

Objectives. The Jefferson County Family Enhanced Supervision Court has several objectives which are geared around behavior changes to be seen over time. These include short-term changes (0-6 months), medium term changes (6-24 months), and long term changes (24+ months).

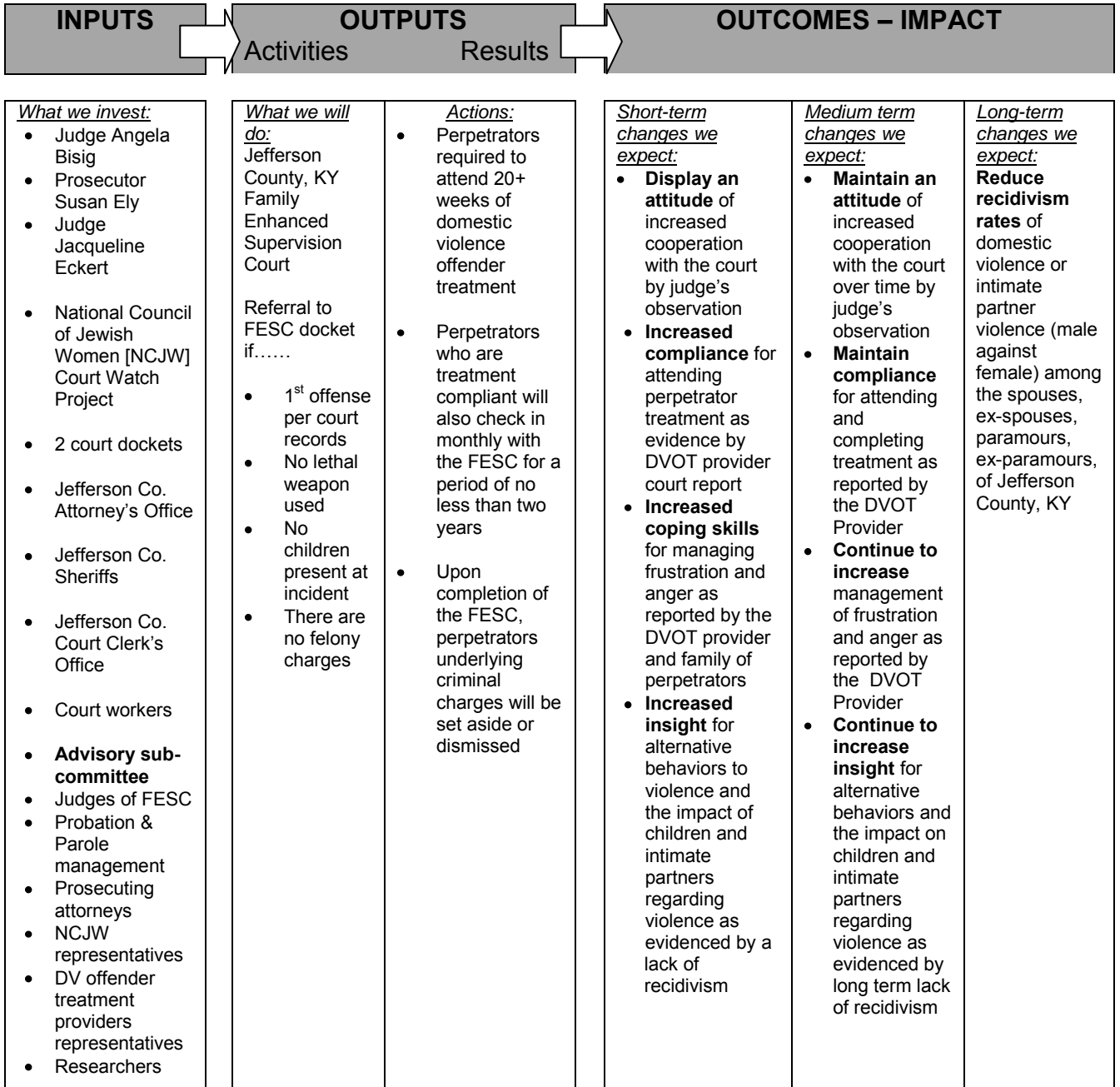
Short term changes expected by the court include such behaviors as perpetrators: 1) Displaying an attitude of increased cooperation with the court as observed by the judge, 2) Increasing compliance for attending perpetrator treatment as evidence by the domestic violence offender treatment (DVOT) provider court report, 3) Increasing coping skills for managing frustration and anger as reported by the domestic violence treatment provider and the perpetrator's family members, and 4) Increasing insight for alternative behaviors to violence and the impact of children and intimate partners regarding violence as evidenced by a lack of recidivism.

Medium term changes expected by the court include such behaviors as perpetrators: 1) Maintaining an attitude of increased cooperation with the court as observed over time by the judge, 2) Maintaining compliance for attending and completing appropriate treatment as evidence by the domestic violence treatment provider court report, 3) Continuing to increase management of frustration and anger as reported by the Domestic Violence Offender Treatment Provider, and 4) Continuing to increase insight for alternative behaviors and the impact on children and intimate partners regarding violence as evidenced by long term lack of recidivism.

The long term changes expected by the Family Enhanced Supervision Court project include such behaviors as 1) Reduced recidivism rates of domestic violence or intimate partner violence among the spouses, ex-spouses, paramours, and ex-paramours of Jefferson County, KY, 2) Reduced incidences of child abuse through the use of corporal punishment, 3) Increased relationship

skills with intimate partners and children, and 4) Improved family well being in recovering families as evidenced by a lack of violent episodes. It is the hope that more long term accountability to the FESC will solidify healthier patterns of conflict resolution for perpetrators and their families.

LOGIC MODEL: Evaluation of the Efficacy of the Jefferson County, Kentucky Family Enhanced Supervision Court



Evaluation Methodology

This study was designed to compare data on the recidivism rates of domestic violence perpetrators that were recorded in District Court in Jefferson County, KY with data on domestic violence perpetrators that were recorded in the Family Enhanced Supervision Court in Jefferson County, KY. This is a quasi-experiment for the following reasons: 1) Group comparisons were made between the participants in FESC and the Regular Court, 2) Random assignment of perpetrators to either court was not possible, and 3) Pre and post tests were not administered to measure change in attitude, behavior, or perceptions.

This research design was approved by the Court's governing body, The Administrative Office of the Courts in Frankfort, KY. This study serves as a program evaluation for the efficacy of the Family Enhanced Supervision Court.

While there were approximately 50 cases heard in Family Enhanced Supervision Court (FESC) during the initial period, hundreds of cases were seen in District Court in Jefferson County, KY during that same period. Since the FESC began in 2006, data were collected from cases where the violence occurred in 2006, 2007 and 2008. Forty-nine cases from Jefferson County, KY from the FESC and 53 randomly selected cases from District Court where violation occurred in 2007 in Jefferson County, KY were compared. Since the Family Enhanced Supervision Court began in mid 2006, all cases for 2006 and 2007 were reviewed with a few additional cases from 2008. As data collection began in 2008, few of the 2008 cases had adequate information for this study.

Data from 2007 were chosen from the regular court docket since most of the data from the FESC was from that year.

Since a basic purpose of this study was to compare recidivism rates of District Court (referred to as *Regular* court) participants with those of the Family Enhanced Supervision Court, charts from the 2007 Regular court docket were reviewed only in cases where perpetrators were ordered to Domestic Violence Offender Treatment. Cases which were plea bargained or remanded were excluded.

Quantitative data. Quantitative data were collected from files of all 102 cases reviewed. Demographic data of gender, race, age, socioeconomic status, employment status, zip code, national origin, and number of persons in the home, including children, were available. Additional information such as type of crime, weapon, and type of plea, alcohol related issues, compliance with treatment, and treatment provider were accessible through the FESC. Only some of these data were available from the randomly selected records of District (Regular) Court in Jefferson County, KY.

Qualitative data. Qualitative data that were available through the FESC included 1) Perpetrators' attitudes as observed by the judge, 2) Type of weapon used, 3) The intensity of the abuse, 4) Whether the abuse occurred in public or in private, 5) Whether the abuse occurred in front of children, and 6) Information on the families' financial, employment, childcare, counseling, substance abuse and mental health status. No qualitative data were available from the District Court records.

Past Progress Report

Since the Family Enhanced Supervision Court has been in existence for less than four years, this is the first evaluation of its efficacy completed in Jefferson County, KY.

Community Coordination Narrative

This court evaluation project was a community service effort in conjunction with Judge Angela McCormick and Susan Ely, Chief Domestic Prosecutor for the Jefferson County Attorney. Two volunteer evaluators, Drs. Heitzman and Hayden, collected and analyzed the data. While the data collection took countless hours, the volunteer assistance of Ms. Patsy Ryan and Ms. Nancy Cruthers, employees of the Jefferson County Court, greatly enhanced the efficacy of data collection. Despite the cooperation of the Court Monitoring System (CMC) in this project, attempts to document perpetrator compliance with Domestic Violence Offender Treatment (DVOT) using the (CMC) revealed several communication gaps in the Jefferson County Court system, making compliance tracking difficult and often impossible.

Data Collection

Data were collected from the Family Enhanced Supervision Court and Regular District Court records for comparison in this study. A collection method from each court follows.

Family Enhanced Supervision Court: Data from the Family Enhanced Supervision Court were collected by gathering narratives directly from client files. A list of court abbreviations used in the files was also provided by Judge Bisig.

Since the clients in the Family Enhanced Supervision Court make a two year commitment, and the court only began in 2006, charts were used from 2006, the majority from 2007, and a few from 2008. Forty nine charts were reviewed, capturing the following narrative data: 1) Comments from judges, domestic violence offender treatment (DVOT) providers, mental health and substance abuse treatment providers, witnesses, and arrest warrants, 2) Court ordered treatment and compliance, 3) The original arrest date, type of violence, no contact order specifics, and plea, 4) Age, race, and gender of perpetrator, 5) Relationship of perpetrator and victim, and whether or not they had children together, 6) Employment and housing status, 7) Recidivism information and subsequent dismissal from Family Enhanced Supervision Court Program and 8) Zip code of the perpetrator's place of residence.

Regular District Court Domestic Violence Records. Data were collected from the records of Regular District Court domestic violence perpetrators with the assistance of Ms. Patsy Ryan. These data included: 1) Eligibility for Family Enhanced Supervision Court services, 2) Court ordered treatment and compliance, 3) The original arrest date, type of violence, no contact order specifics, and plea, 4) Age, race, and gender of the perpetrator, 5) The relationship of the perpetrator and victim, and whether or not they had children together, 6) Employment and housing status, 7) Recidivism occurrence(s), and 8) Zip code of the perpetrator's place of residence.

Fifty-three charts were randomly selected from the Regular District Court's domestic violence records. This process took place two different ways. First, a

random selection was made taking every 27th chart for 2007. Following analysis of this data, it was found that an inordinate number of the cases in these charts were dismissed. Then a second screening of charts took place. First, all charts that were not dismissed in 2007 were screened, and then a random selection of 53 charts were selected.

Narrative Themes from the Family Enhanced Supervision Court

Judges. Narrative themes from the Family Enhanced Supervision Court were collected by Judge's docket by year. This special court project was initiated by Judge Angela McCormick Bisig, who volunteered her time weekly for this project since 2006. Judge Jacqueline Eckert joined the Family Enhanced Supervision Court bench, also as a volunteer, in 2007.

Researchers noted that the judges' narratives about the perpetrators' court appointment became increasingly more descriptive and less general (e.g. the comment "doing okay" appeared decreasingly from 2006 to extinction in 2007). The judges' narratives primarily focused on the following topic areas with perpetrators: 1) Attendance, compliance, program completion, 2) Good attitude, attentive in treatment group, 3) Ability of perpetrator to discuss the cycle and dynamics of violence, 4) Attending parenting classes, 5) Follow up with substance abuse evaluations and treatment as required, 6) Follow up of evaluation and treatment for mental health as required, 7) Healthy lifestyle – interaction with friends, social supports, status of family relationship, ability to increase self care, 8) Housing arrangements, 9) Money – employment/SSI benefits, 10) Education completion (for students), and 11) Self report.

Domestic Violence Offender Treatment (DVOT) Providers. In Jefferson County, KY, the provision of treatment for domestic violence offenders (now called Batterer's Intervention Program or BIP) is regulated by State mandate. All treatment providers must complete a state required and monitored training program, and then submit a curriculum for approval to the state for use in domestic violence treatment. While these protocols are mandated, there is little official follow up protocol. In reviewing the data, a range of feedback to the court was noted from DVOT/BIP providers. While a few providers gave habitually quick responses and detailed, Likert scaled feedback (response choices from 1 = never to 5 = always), others providers were chronically late or completely negligent in providing feedback to the court, often providing little more than a hand scribbled one or two sentences of generic information such as "Mr. C. is coming to treatment and doing well."

Qualitative data were reviewed for clarification and accuracy by Drs. Heitzman and Hayden first with Judges Bisig and Eckert, and then again with Judge Bisig and Ms. Ely.

Data Analysis

The majority of the data were either collected or reviewed by Dr. Heitzman, the principal investigator for this study. The majority of the statistical data analysis was calculated by Dr. Hayden. Data were analyzed with SPSS, a statistical analysis software program. Specific statistical tests are described with the reporting below.

Court Type Comparisons

Frequency statistics were run to analyze comparisons between the Family Enhanced Supervision Court (FESC) and the Regular Domestic Violence Court docket cases on several categories. The following categories (variables from the chart review) were used to compare and contrast data outcomes by court:

1) Recidivism, 2) Perpetrator compliance with court mandated domestic violence offender treatment programs, and 3) Perpetrator demographics including age, gender, race, relationship between perpetrator and victim, eligibility for the Family Enhanced Supervision Court, and zip codes.

Recidivism. Recidivism was defined as the second violation of domestic violence by the perpetrator. The offense could be against the original victim or a different victim. Other legal violations were not measured in this study.

Frequency statistics examined the percentages of occurrences of recidivism by court type (Figure 1). In the Family Enhanced Supervision Court (FESC), of 49 cases, a second violation was found in one (1) case, or 2% of all cases. As required by the conditions of participation in the FESC, that case was dismissed and remanded to the Regular Domestic Violence Court. Out of 53 cases in Regular Court, a second violation of domestic violence was found in 10 cases, or 18.9% of the randomly selected Regular Court cases for this study.

Because the percentages of recidivism cases are quite different between FESC and Regular Court, the data suggest that there is a true relationship between the two court types and repeat offenses of domestic violence. To confirm a true relationship and examine for possibility of error in sampling of the

domestic violence cases, the chi-square test of association was run to mathematically scrutinize the relationship between the two court types and repeat domestic violence incidents. The results show a statistically significant relationship ($\chi^2 (1) = 7.493, p = .006$) between the Family Enhanced Supervision Court and reduced recidivism in intimate partner domestic violence cases. In other words, these results indicate that the mathematical probability that sampling error produced these results is less than 6 times out of 1,000. We can safely say that there is a relationship between participation in the FESC and reduced incidents of domestic violence and the same results could be expected in the general population. It is to be noted, that these results do not state that the FESC is the cause of reduced domestic violence, but rather that a relationship does exist between the expectations within FESC and reducing incidents of domestic violence.

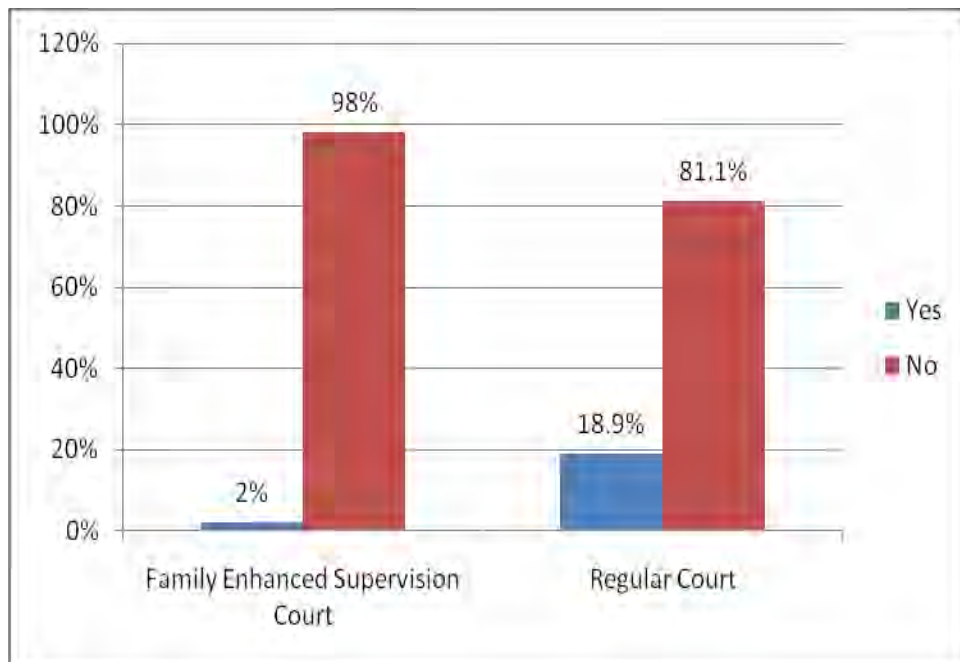


Figure 1. Percentages of recidivism by court type

Perpetrator Compliance with Court Mandated Domestic Violence

Offender Treatment (DVOT) Programs. This study also measured compliance rates of domestic violence perpetrators with their court mandated offender treatment programs. A prerequisite for participation in the Family Enhanced Supervision Court is regular participation and completion of DVOT. Therefore, 98% of the 49 cases studied whose perpetrators still actively participate in the FESC were compliant with DVOT. The one case (2%) whose perpetrator was non-compliant was dismissed from the Family Enhanced Supervision Court.

When reviewing the compliance rates of the 53 cases of domestic violence perpetrators from the Regular Court, the following data were found: Six (6) cases (11.3 %) were compliant with domestic violence offender treatment; 22 (41.5 %) were non-compliant with treatment; 17 (32.1 %) were not ordered to treatment; and the status of 8 cases (15.1%) was unknown (Figure 2). Of those 17 cases where domestic violence offender treatment was not ordered, cases were either dismissed, remanded, or plea bargained.

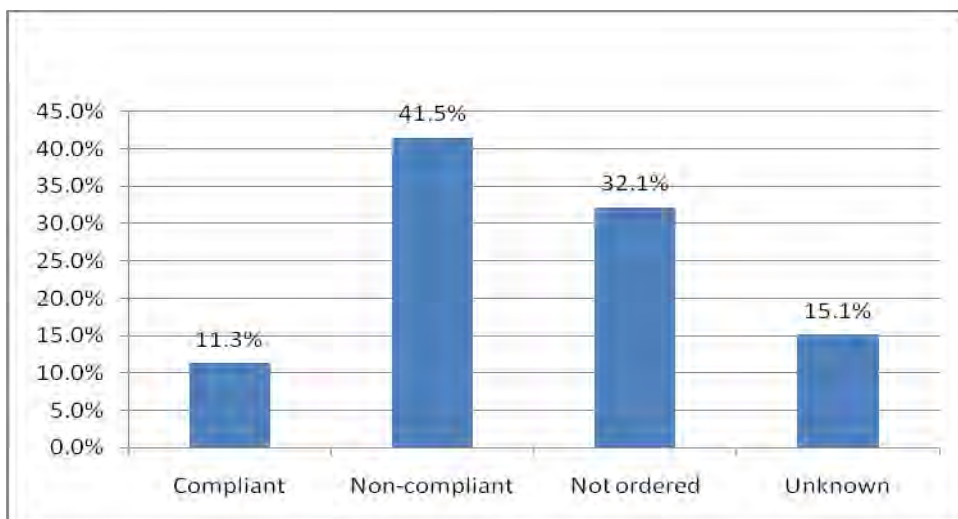


Figure 2. Percentages of compliance rates for Regular Court

Age of Perpetrator. Frequency data analysis for age of perpetrators by court type found that there was relative parity between the courts except for the following categories (Figure 3): 1) age groups 20-29 years of age, 14.44% were from the FESC and 26.67% were from the Regular court; and 2) age groups 40-49 years of age, 4.44% were from the FESC and 11.11% were from the Regular Court docket.

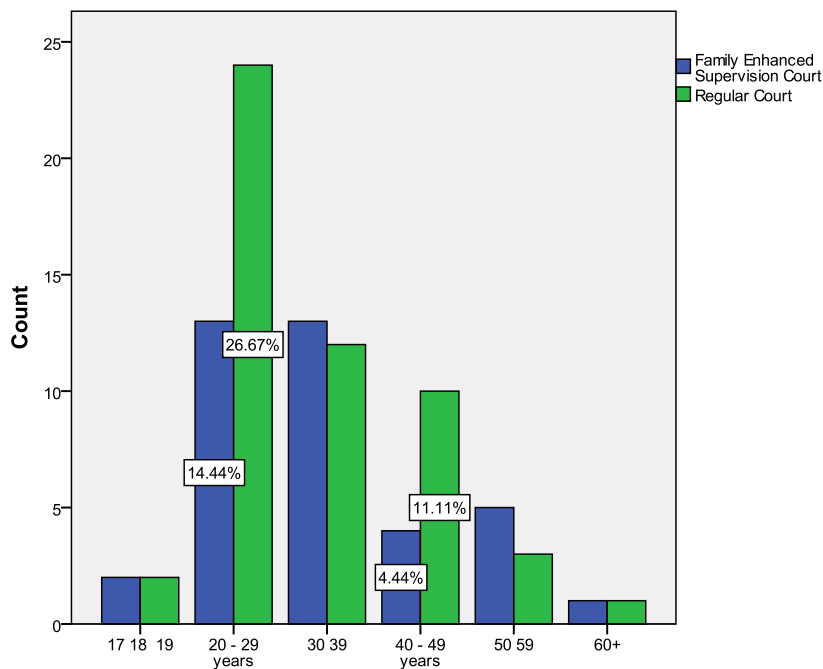


Figure 3. Percentages of age disparity by court type

Gender of Perpetrator. Gender parity across court types reflected domestic violence research trends nationally (Seelau & Seelau, 2005; Catalano, Smith Snyder, & Rand, 2009). That is, perpetrators in this study also remain predominantly male (Figure 4). Of 49 cases in FESC, 43 cases or 87.8% of domestic violence perpetrators were men, and 6 cases or 12.2% were women.

In the Regular court, 45 cases or 84.9% were men, and 8 cases or 15.1% were women. Of the 11 total re-offenders, the one from FESC was male, and 8 males and 2 females were from the Regular Court.

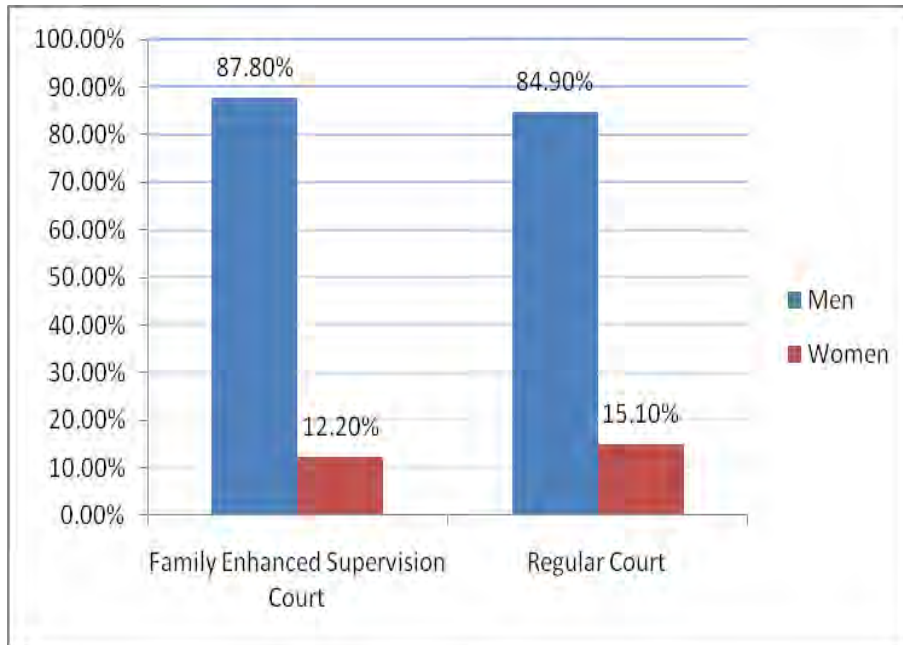


Figure 4. Percentages of male and female perpetrators by court type

Race of Perpetrator. For the FESC, 41 perpetrator cases were made up of 24 Caucasians (58.5%) and 17 African Americans (41.5%) Information on race was missing for eight cases. For the Regular Court, 53 perpetrators were comprised of 22 (41.5%) Caucasians, 29 (54.7%) African Americans, and 2 (3.8%) Hispanics. Information on race was missing from the court records of four cases.

There were a total of 11 second violations of domestic violence. Four were Caucasian, seven were African American, and none were Hispanic.

Relationship between Perpetrator and Victim.

Thirteen categories were identified from the chart review describing the relationship between the perpetrator and the victim. Nine of these 13 categories contained less than 3 cases (19.5% of the total cases) and include the following descriptors: current boyfriend / girlfriend, former boyfriend / girlfriend, ex-spouse, ex paramour, parent to child abuse, child to parent abuse, siblings, engaged, and separated. The remaining 80.6% of cases were identified with four categories and are represented in Figure 5. These categories include: 1) Spouse, 2) Paramour, 3) Have a child in common, and 4) Singles.

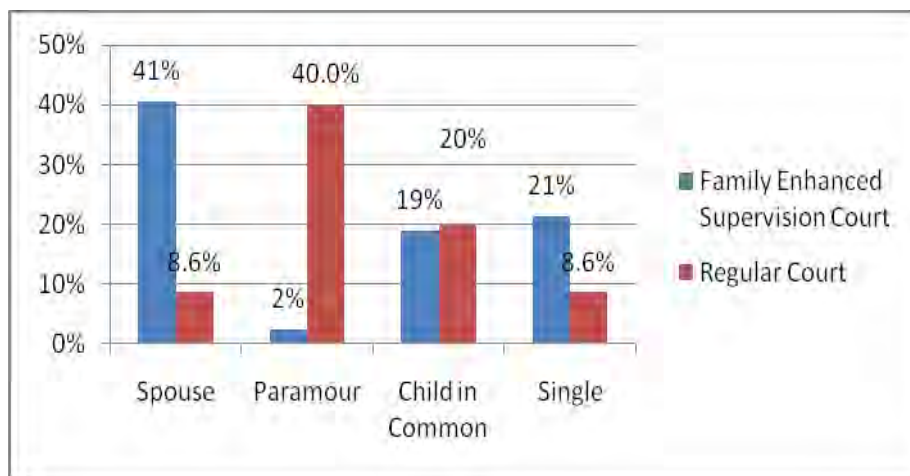


Figure 5. Four most common categories describing relationship between perpetrator and victim

Eligibility for the Family Enhanced Supervision Court. In reviewing the Regular Court randomly selected records, nine cases were found to be eligible for but not referred to the Family Enhanced Supervision Court. Perpetrators from all nine of these cases were males. Two were Caucasian and seven were African-American. The mean age was 35 years. Three of these perpetrators who

were eligible for the FESC referral later had another domestic violence re-offense. Zip codes for these nine perpetrators were scattered throughout Louisville Metro area (see Table 1).

Table 1.

Zip Code for Cases Eligible for but not Referred to FESC

Zip Code	Eligible for FESC
40201	1
40202	1
40204	1
40208	1
40210	2
40212	1
40215	2

Zip code of Perpetrators' Place of Residence. Perpetrators in cases reviewed resided in 30 different zip codes from the more than 60 zip codes in Louisville Metro. The two zip codes most represented in the sample are 40215 (7% of cases) and 40218 (7% of cases), followed by 40219 and 40229, both having 5.8% of cases. These four zip codes contain 25% of the cases (See Table 2). Other cases were dispersed evenly among those 30 zip codes in Jefferson County.

Table 2

Top Four Zip Codes of Perpetrators' Place of Residence by Court Type

Zip Code	FESC	Regular Court
40215	0	6
40218	2	4
40219	3	2
40229	4	1

Discussion

Results from the data are defined through statistical analysis and narrative report. Categories reflected in the data include 1) Recidivism, 2) Treatment compliance, 3) Perpetrator demographics, and 4) Learning curves for judges in the Family Enhanced Supervision Court.

Recidivism

A comparison of randomly selected data from the Regular District Court domestic violence records and the Family Enhanced Supervision Court records showed a statistically significant ($p = .006$) reduction of recidivism in domestic violence in Jefferson County, KY in the Family Enhanced Supervision Court. In other words, these results indicate that there is a relationship between participation in the FESC and reduced incidents of domestic violence and this could be expected in the general population.

Treatment Compliance and Tracking

By design, the Family Enhanced Supervision Court (FESC) encourages compliance. Non-compliant perpetrators are automatically dismissed from the FESC, while perpetrators who are compliant with treatment make a two year commitment to check in monthly with the court even after completing their domestic violence offender treatment program.

The Regular domestic violence court currently uses the Court Monitoring Center (CMC) to track Domestic Violence Offender Treatment (DVOT) compliance, now called the Batterer's Intervention Program (BIP). While this study concluded that the CMC does a valiant job of attempting to track

compliance, their progress is often sabotaged by the lack of required response from DVOT/BIP providers once treatment is terminated. It is our recommendation that treatment providers be mandated to report to the court in a specified time period, and that their feedback be in a standardized, detailed format such as a checklist.

Perpetrator Demographics

During this study, the investigators reviewed court records which included addresses of both crime location and perpetrator's place of residence. The zip codes for both the Family Enhanced Supervision Court and the randomly selected cases from Regular domestic violence court were dispersed throughout the Louisville Metro area. In other words, domestic violence patterns for Louisville Metro did *NOT* necessarily reflect data for stereotypically high crime areas, but rather crossed all sections of Jefferson County.

Learning Curve for Judges in the Family Enhanced Supervision Court

In this as in most pilot projects, there is an ongoing learning curve. Here are some issues that judges have found helpful: 1) When speaking with perpetrators, encourage them to recall a conflict that has been resolved nonviolently. Have the perpetrator write a paragraph about the incident and what new skills were used to accomplish this outcome. 2) Encourage perpetrators to be intentional at all times. When situations escalate or conflicts arise, encourage perpetrators to stop in the moment and reflect on the skills they have learned to de-escalate. 3) Ask comprehensive questions. Encourage family members who continue to be involved with the perpetrator to be present in court. 4) Avoid the

use of Home Incarceration Program for all domestic violence perpetrators if the Home Incarceration cannot be separate from the residence of the victim. Despite the benefits to the criminal justice system and the perpetrator, the risks to the victim are too high for this option. Being cooped up at home with family members might be an escalation trigger for someone who has a domestic violence history, and the consequences could be devastating.

The Family Enhanced Supervision Court continues to be active to the present day. Since its inception, judges have continued to hone their skills and develop increasingly successful methods and assignments that encourage court participants to manage their lives without further incidences of domestic violence.

Recommendations

The following recommendations address efficacy in: 1) Strengthening domestic violence offender treatment efficacy and 2) The Family Enhanced Supervision Court.

Strengthening Domestic Violence Offender Treatment Efficacy

One serendipitous outcome of this study was the inference of Domestic Violence Offender Treatment/Batterer Intervention Program efficacy. However, it is our recommendation that a formal study of treatment program outcomes for DVOT/BIP provided in Jefferson County, KY be initiated. The key issues for this recommendation include measuring both 1) Perpetrator treatment compliance rates by provider and 2) Perpetrator recidivism rates by provider. We request this because of the vast differences in treatment protocols, court reporting and progress reports that were noted in the record reviews. While the purpose of this

study was not to determine the relationship between treatment protocols, it appears that accurate and detailed feedback from the treatment provider and treatment compliance of the domestic violence perpetrator are crucial to the success of reducing recidivism.

Family Enhanced Supervision Court Efficacy

The Family Enhanced Supervision Court continues to the present date to be an active court docket and many individual defendants have successfully completed the program. Since its first year of activity, the judges and prosecutors staffing these dockets believe they have progressed in their review processes and handling of the cases.

Based on the statistical significance of reduced recidivism in domestic violence ($p = .006$) and increased compliance of Domestic Violence Offender Treatment, it is our recommendation that Family Enhanced Supervision Court be made a standard part of District Court's domestic violence docket. To do this, we are aware that an increased number of domestic violence dockets are required, as are the number of judges, court clerks, records clerks, and sheriffs.

As with many pilot projects, a limitation of this study is the sample size ($n=102$). We recommend further study of the Family Enhanced Supervision Court now that the court has been in place for several years and many more cases have been handled. It is our hope that further study will contribute to reducing domestic violence in Jefferson County, KY.

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