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**AN EVALUATION
OF THE
CITRUS MUNICIPAL COURT
DOMESTIC VIOLENCE COURTROOM
PILOT PROJECT**

**Institute for Court Management
Court Executive Development Program
Phase III Project
May 1996**

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Cathy Stapleton
March 21, 1996

ABSTRACT

The purpose of this study was to evaluate the Citrus Municipal Court's Domestic Violence Courtroom Pilot Project. Domestic violence is the leading cause of injury to women between the ages of fifteen and forty-four and adversely impacts society and our future generations. During the past five years, there has been a steady increase in filings of domestic violence related cases. By June, 1994, such filings in the Citrus Judicial District were approaching one-sixth of all misdemeanor filings. Concern about the increasing caseload and the lack of uniformity in the approach to these cases spurred development of the project. The project concentrated all domestic violence related cases in one courtroom and permitted frequent monitoring of the defendant. Examination and analysis provided data affirming the project's success.

The project objectives included uniformity and consistency in sentencing and case processing, frequent court monitoring, early intervention, and deterrence from future incidents. The primary objective was to determine the most effective method of processing domestic violence cases along with protecting the citizens of this community.

The methodology for the study was comparative analysis. A comparison of cases before and after the project was made. This method of research facilitated a numerical correlation of pre-determined variables. The variables included case processing time, post-conviction sentences, bail requirements, domestic violence counseling, and subsequent arrests for domestic violence. A simple random sample of Citrus Municipal Court cases provided the desired data.

A summary of the findings clearly demonstrated that the objectives and goals of the domestic violence courtroom have been accomplished. Consistency in sentencing, reduction in

case processing time, regimented supervision, successful completion of domestic violence counseling and a trend toward fewer arrests has been realized. Findings also revealed that plea bargaining was exercised more frequently prior to the domestic violence courtroom without holding the defendants accountable for their actions.

The focus of the Citrus project was on rehabilitation through counseling. Experts agree on the behavioral dynamics of domestic violence, that men can change their behavior through a long process of education and a commitment to change. Analysis of the data showed the project was successful in the number of persons enrolling in the counseling programs as ordered and continuing with the weekly classes. The completion rate of counseling was promising, given the early stage of the project. The Citrus Municipal Court Domestic Violence Courtroom Pilot Project was clearly successful. Other judicial districts should give serious consideration to implementing a similar model. Stopping the cycle of violence may commence with such endeavors.

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1. INTRODUCTION

The Citrus Judicial District is one of twenty-four Municipal Courts of limited jurisdiction in Los Angeles County, California. It encompasses a large portion of eastern Los Angeles County, with a population of more than one million people. Citrus Judicial District serves the cities of Azusa, Baldwin Park, Covina, Glendora, Irwindale, West Covina, and two surrounding unincorporated areas (**Figure 1**). Eleven different police agencies serve the district, filing approximately 30,000 misdemeanor and 2,500 felony matters annually, with 2,900 related to domestic violence. The court is staffed by seven judges, two permanent commissioners and one retired commissioner sitting temporarily. Today, six courtrooms are direct calendar misdemeanor courts, with one courtroom hearing all criminal matters involving allegations of domestic violence, one courtroom devoted exclusively to felony arraignments, certified pleas and preliminary hearings, plus one traffic, one civil and one small claims courtroom.

For many months prior to the commencement of the Citrus Municipal Court Domestic Violence Courtroom Pilot Project (hereinafter referred as "the project") the court had been concerned about the increasing number of domestic violence criminal filings and the lack of uniformity in the approach to these cases among the seven criminal divisions. Total domestic violence filings had increased from 1,630 in 1991 to 2,871 in 1994. In Los Angeles County, Citrus Judicial District only trailed Los Angeles Judicial District and Long Beach Judicial District in total number of domestic violence filings for the year 1994. In June, 1994 the Presiding Judge was presented with filing statistics from the District Attorney's office demonstrating that the number of domestic violence and Penal Code Section 166(a)(4) (willful disobedience of a court

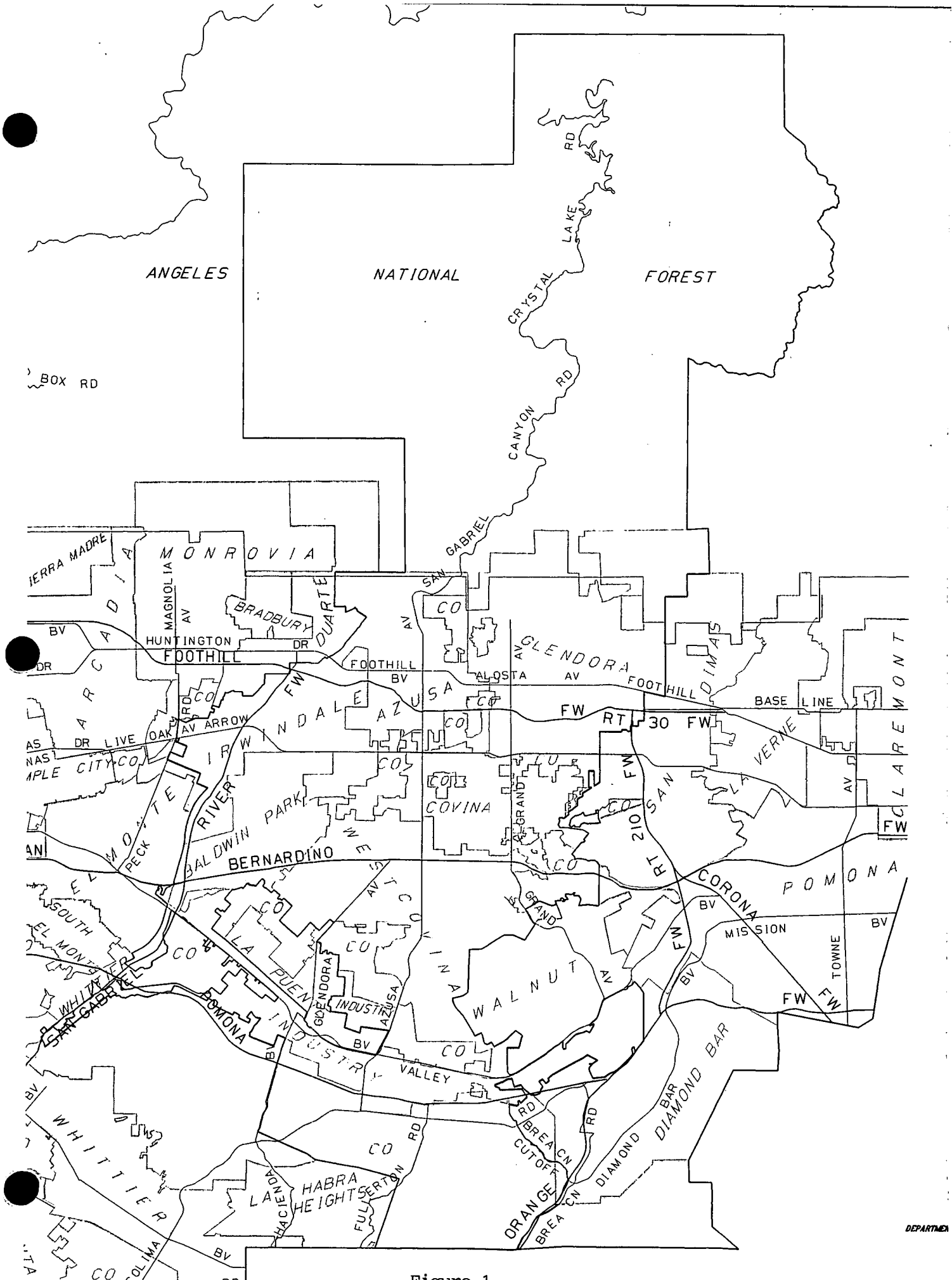


Figure 1

order) filings was approaching one-sixth of all misdemeanor filings (**Figure 2**). Further, the Los Angeles District Attorney issued a strict written policy in July 1994 with regard to his office's filing and handling of such matters which would make disposition of such cases more difficult. The policy prescribed prosecution of domestic violence cases regardless of the wishes of the victim whenever there is legally sufficient evidence to support a conviction. Also, continuances would be opposed by the district attorney unless there has been compliance with the provisions of Penal Code Section 1050 regarding written notice to all parties at least two court days before the hearing. A "no dismissal policy" was also initiated along with the policy of filing non-divertible charges whenever possible. The Deputy District Attorney assigned to a misdemeanor domestic violence case would also seek a minimal custody sentence in every case.

The concept of concentrating all such cases in one courtroom was then developed, with the hope that a more uniform approach to these cases, consistency in sentencing, frequent court monitoring of both pre-conviction grants of diversion (per Penal Code Section 1000.6 et seq.) and post-conviction grants of probation and early intervention would enhance resolution to all parties in these difficult matters and prevent future incidents. To facilitate increasing caseloads, better case management practices would also further reduce processing time.

Once the Presiding Judge received the consent of his colleagues to further explore the project, a series of meetings were held between the court and representatives of the District Attorney, Public Defender, Probation, and local approved batterers' treatment programs. Each entity shared their concerns and expectations, but agreed upon a common goal of attempting to prevent future incidents of violence.

The court agreed to devote an entire courtroom exclusively to misdemeanor and felony

CITRUS MUNICIPAL COURT

Percent of Criminal Cases Filed Related to Domestic Violence

1991-1995

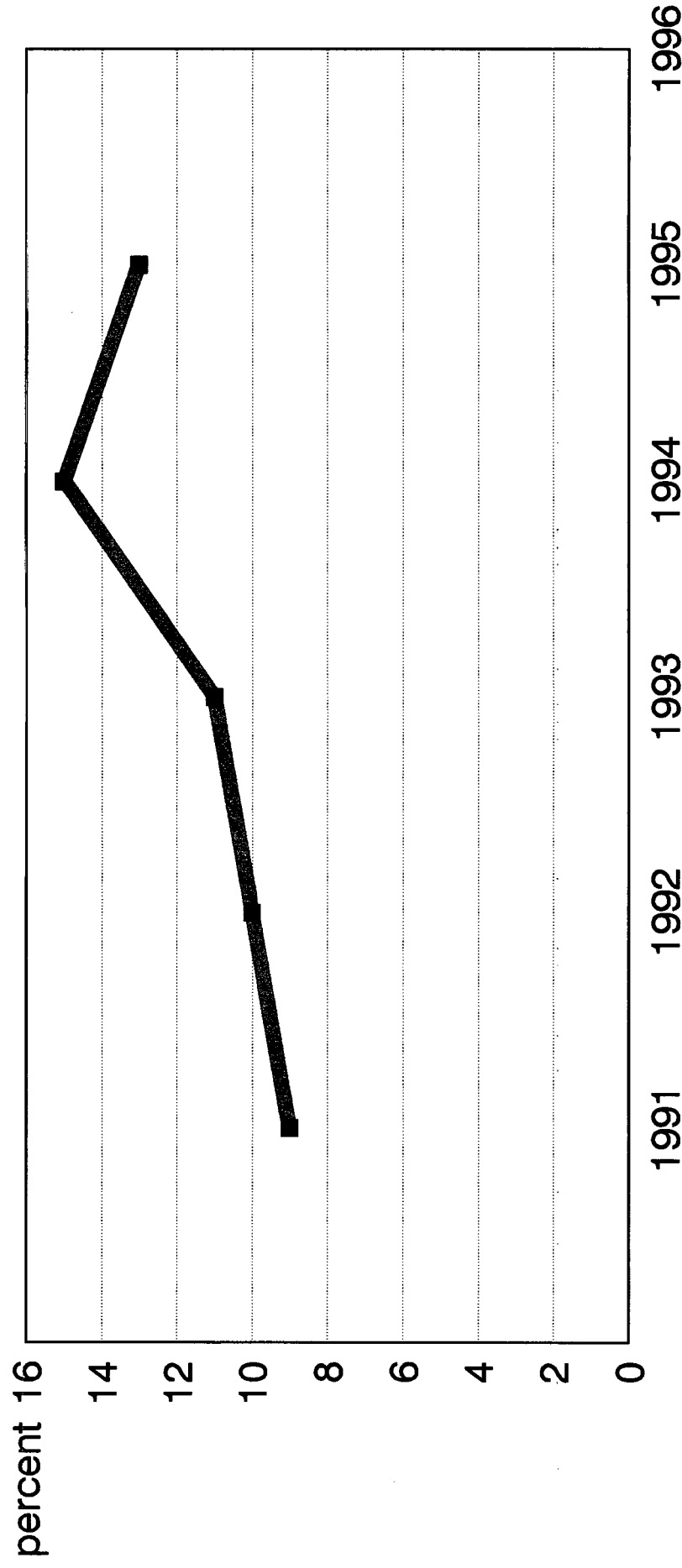


Figure 2

domestic violence cases. This calendar change involving domestic violence cases would not unfairly overburden the remaining courtrooms. A judge was agreed upon by all parties to initiate the project. The District Attorney's office agreed to allow some deviation from their written policy guidelines concerning charges filed and other appropriate exceptions to the policy. The Public Defender's office agreed to staff the courtroom with an experienced attorney whom it was believed could work well with the judge and deputy district attorney. The Probation Department expressed their inability to provide additional staffing or monitoring of probationers. They indicated that in Los Angeles County the average active caseload per probation officer is approximately 2,000 probationers. The probation office reports that sixty-seven percent of defendants on formal probation are monitored on an automated basis, not personally by a probation officer. Only the most violent offenders are monitored in person by the probation officer.

A. THE PROCEDURES

Commencing October 3, 1994, all pending and new criminal filings alleging domestic violence were directly calendared in one courtroom. Specifically, that court presides over all alleged violations of California Penal Code sections defined and listed below:

166(a)(4). Willful disobedience of any process or order lawfully issued by any court

242. Willful and unlawful use of force or violence upon the person of another (subject to possible diversion per P.C. 1000.6)

243(d). Battery with serious bodily injury

- 243(e)(1)** *Battery against a noncohabitating former spouse, fiancée, or person with whom there is or has been a dating relationship*
- 243.4(d).** *Touching an intimate part of another against their will, also known as "sexual battery"*
- 245(a)(1).** *Assault with a deadly weapon or force likely to produce great bodily injury in a domestic setting*
- 273a.** *Willful harm or injury to a child*
- 273d.** *Corporal punishment or injury to a child*
- 273.5.** *Willful infliction of corporal injury to a spouse, cohabitant, mother or or father of his or her child resulting in a traumatic condition*
- 273.6.** *Intentional and knowing violation of a protective order*
- 646.9(a).** *Willful, malicious and repeated stalking including a credible threat with the intent to place that person in fear for their safety*
- 187.** *Murder in a domestic setting*

All misdemeanors are handled from arraignment through trial and/or sentencing. All felonies are handled through preliminary examination or certified plea of guilty.

Diversion

All alleged violations of section 242 which appear eligible and suitable for diversion, pursuant to Penal Code Section 1000.6, were referred to the probation department as required by statute. Diversion suspends (diverts) criminal proceedings and the case is held in abeyance for not less than one year nor longer than two years. The defendant consents and agrees to the conditions of diversion and waives his or her right to a speedy trial. During this period, the defendant shall be deemed for all purposes to have no conviction. At the end of the period of

diversion and upon the successful completion of all terms and conditions of diversion, a hearing is held and diversion is terminated and the criminal charges are dismissed.

Penal Code section 1000.6 was repealed by statute in 1995, therefore diversion is no longer an alternate form of resolution in domestic violence cases. For those defendants that were eligible and suitable while diversion was available, they were granted diversion for twenty-four months without objection by the District Attorney. All defendants granted diversion were required to complete an approved batterers' treatment program fifty-two weeks in duration. Defendants are advised that their case will be dismissed prior to twenty-four months upon successful completion of all conditions of diversion. Mandatory appearances by the defendant were scheduled approximately every ninety days together with progress reports from the probation officer.

Probation

The most effective manner in which to monitor the progress of defendants on probation was for the judge to personally act as the probation officer. Typically, a defendant being sentenced for a first-offense misdemeanor involving the use of force resulting in physical injury to another (Penal Code 273.5) will receive a grant of three years summary probation, a suspended jail sentence of 120 days, an actual jail sentence of approximately 30 days, a requirement that they complete fifty-two weeks of domestic violence counseling (batterers' treatment program), orders that they not use force or violence upon, or threats against, the victim(s) including stay away orders when appropriate, payment of \$100.00 to the Victims' Restitution Fund, \$200.00 to the Domestic Violence Fund, booking the defendant within one week of sentencing if the

defendant has not already been booked (amended by statute 1995), and obey all laws and orders of the court.

The defendant is informed at sentencing that the judge will personally act as his or her probation officer, and that successful completion of their probation is entirely their responsibility. It is stressed to the defendants that they will be appearing before the same judge, who is already familiar with their case, time and time again.

Defendants are ordered to enroll in domestic violence counseling within 13 days of the grant of probation (or their anticipated release date if in custody) and to return to court on the 14th day with proof of enrollment. At sentencing, they are given a copy of the sentencing order (**Appendix A1**), a written order with instructions regarding enrollment (**Appendix A2**) and an attached list of approved batterers' programs (**Appendix A3**). Those who return but haven't enrolled, and who have no valid excuse, are incarcerated for a brief period of time (often just several hours) to impress upon them the importance of the counseling. For those who fail to return to court as ordered, probation is immediately revoked and a bench warrant is issued.

Upon presenting proof of enrollment, the defendants are excused and ordered to return for a progress report in 60 days. They are given a written order (**Appendix A4**) with the return date on it which instructs them to deliver it to the batterers' program. The batterers' program is requested to mail a progress report (**Appendix A5**) directly to the courtroom one week in advance of the scheduled hearing date.

After the first sixty-day progress report, a second progress report date (and mandatory appearance) is scheduled in sixty days. Again, the defendant is given a written order with the return date and instructions to deliver it to the batterers' program. Subsequent progress reports

are scheduled from 60 and 90 days. In the event the defendant has successfully attended at least half of the counseling sessions, and has had no further violations since the grant of probation, they are advised that they need not return to court until shortly after the anticipated completion date of the counseling. The defendant is again given a written order and a final report is requested from the batterers' program. All programs have agreed to notify the court immediately of any defendant who is terminated from counseling.

Matters calendared for proof of enrollment and progress reports are called first thing in the morning, and the court speaks briefly to each defendant about the counseling sessions. The defendant is asked how they are doing in the counseling, if they are still together with the victim, and if they have had any further problems.

Violations of probation, especially by the use of further violence, are considered extremely serious and are treated harshly. When repeat acts of violence have been proved or admitted, a substantial jail sentence is imposed.

Weekend Custody

When appropriate, the court regularly allows the ordered jail sentences to be served in the Probation Department's Weekend Custody Program, allowing the defendant to arrange custody time around his or her work schedule. This arrangement helps to avoid further financial stress upon the family of the defendant. In the program, the defendants are confined in a dormitory-type setting in Los Angeles operated by the Probation Department, at a cost to the defendant of approximately \$35.00 per day.

The court considers specific factors before allowing the weekend custody program. The

defendant's prior record if any, the likelihood of future violence, input from the victim, and whether the defendant has been incarcerated for a sufficient time to allow an adequate "cooling off" period, such as four or five days, prior to his or her release. The Probation Department has agreed to notify the court within one working day of the failure of any defendant to comply with program requirements.

Substance Abuse Considerations

Often a major factor in the violence is drug or alcohol abuse. In such cases the court orders the defendant to abstain from the use of alcohol or drugs as a condition of probation, and in appropriate cases regularly utilizes the services of a private provider for breath-alcohol testing, and urinalysis testing for the presence of drugs at an additional cost to the defendant. Participation in these programs are generally for a minimum of ninety days. Violations are reported to the court the next working day. The batterers' program may also incorporate drug or alcohol counseling into their standard program if its abuse becomes apparent.

Further Considerations

Due to the cost of the various programs being utilized (batterers' counseling and drug/alcohol testing), the court has placed little emphasis on imposing fines as a condition of probation. However, all of the programs participating in the project, including the batterers' treatment programs, the weekend custody program, and the alcohol/drug testing program, have agreed to perform their services on a sliding scale and will even accept defendants at no cost upon a finding by the court of actual indigence.

The court also displays within the courtroom literature from battered women's shelters and other support groups, for the benefit of victims and families attending court sessions. Although the court makes no efforts to direct individuals to such organizations, the information is available in one central location.

B. GOALS OF THIS STUDY

Domestic violence is an area of growing concern and the negative effects on those in its path are overwhelming. The most effective method of dealing with domestic violence must be employed to ensure the safety of victims and the well being of our citizens.

This study will provide a comprehensive framework of the history of domestic violence, the current situation nationally as well as in Los Angeles County, the dynamics surrounding domestic violence, prospects of rehabilitation, and a look at specialized courts. An analysis of the Domestic Violence Courtroom Pilot Project will provide data affirming the projects success. Lastly, conclusions and recommendations will be offered.

2. REVIEW OF RELEVANT LITERATURE

"THE VIOLENCE AGAINST WOMEN ACT REPRESENTS A NATIONAL CONSENSUS THAT WE WILL NOT TOLERATE HAVING OUR MOTHERS, OUR SISTERS AND OUR DAUGHTERS BEATEN AND ABUSED BY THE MEN WHO PROFESS TO LOVE THEM"

-Senator Joseph R. Biden Jr.
Chairman, Senate Judiciary Committee
On September 13, 1994
the day The Violence Against Women Act became law

A. DOMESTIC VIOLENCE, PAST AND PRESENT

History demonstrates numerous cycles of ignoring domestic violence only to later "discover" it again. The first Western laws relative to marriage were implemented by the Romans. These laws obliged women to conform themselves to the *temper* of their husbands. Roman husbands had the right to punish and even kill their wives for conduct such as adultery or public drunkenness that was condoned when performed by males (Dobash & Dobash, 1983). Until the end of the nineteenth century there were actually laws on the books setting out reasons why a man could beat his wife to discipline her. In fact, the saying "rule of thumb" is believed to be rooted in old English common law that stated a man could beat his wife with a stick no wider than his thumb.

The first known statute in the Western world prohibiting wife abuse was enacted in Massachusetts Bay Colony in 1641. Within a few years husband beating was also made a crime.

The authority of a husband to use legitimate physical force against his wife was recognized. Few prosecutions resulted for these laws and their enforcement disappeared after 1690.

The next era for spouse abuse legislation began in 1850. Even with the enactment of statutes to protect battered women, the situation did not change drastically. Courts were generally reluctant to incarcerate the husband if doing so would leave the wife and children destitute.

A new wave of interest in spouse abuse peaked between 1875 and 1906. Twelve states considered bills to punish wife beaters at the whipping post. Three states (Maryland, Delaware and Oregon) actually enacted such laws but floggings were rare. (Pleck, 1989)

Protecting victims of domestic violence is a fairly recent event. Spouse abuse emerged as a "women's issue" in the 1970's. Gradually it became an issue for society as a whole. Many new laws were enacted but the major accomplishment was to provide shelters and other services for battered women. It wasn't until 1988 that all fifty states had enacted laws that provided civil and criminal remedies for victims of family violence (Edwards, 1992).

Awareness of domestic violence as a significant problem has grown rapidly in recent years as our tolerance for this societal ill declines. Courts are challenged with increasing caseloads and demands by citizens for appropriate judicial response. It is not known whether occurrences of domestic violence are increasing, or whether reporting of those instances has increased.

In 1985 the California Legislature added Penal Code 273.8 which declares..."The Legislature hereby finds that spousal abusers present a clear and present danger to the mental and physical well-being of the citizens of the State of California. The Legislature further finds that the concept of vertical prosecution, in which a specially trained deputy district attorney, deputy city attorney, or prosecution unit is assigned to a case after arraignment and continuing to its

completion, is a proven way of demonstrably increasing the likelihood of convicting spousal abusers.....". That same year many statutes were added to enhance prosecution efforts, establish policies regarding pretrial release, sentence and disposition time, and reporting requirements to the Department of Justice.

Michael Paymar defines domestic abuse in Violent No More: Helping Men End Domestic Abuse, as the use of physical violence in an intimate relationship. Domestic violence includes emotional, psychological, and sexual abuse as well as any other behavior a person uses to control a partner. California Penal Code 13700 defines **abuse** as "intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself or another", and defines **domestic violence** as "abuse committed against an adult or a fully emancipated minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship". Cohabitant means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Intimate relationships also include persons of the same sex.

According to a Los Angeles County Grand Jury Report, ninety-five percent of the victims of domestic violence are women. Battering is the single largest cause of injury to women in the United States. Violent relationships between intimates exist throughout society, in every ethnic and racial group, at every level of income, in every educational level and profession. Every year in the United States:

- Three to four million women are battered;
- 22% to 35% of women seeking treatment in hospital emergency rooms are there because of symptoms related to abuse by a husband or boyfriend;

- Approximately 6,000 women in the United States are killed as a result of domestic violence;
- In 70% of homes affected by domestic violence, children are also abused;
- Most occupants of battered women's shelters are children;
- Boys who grow up in violent homes are more likely to become batterers themselves;
- Americans are estimated to spent \$44 million per year on medical costs associated with domestic violence, including injuries to children.
(Los Angeles County Grand Jury Final Report 1994-1995)

B. CALIFORNIA LEGISLATIVE CHANGES

Early California Legislative findings concerning domestic violence are found in *The Domestic Violence Centers Act* of the Welfare and Institutions Code 18290 enacted in 1977:

"The Legislature hereby finds and declares that there is a present and growing need to develop innovative strategies and services which will ameliorate and reduce the trauma of domestic violence....Victims of domestic violence come from all socioeconomic classes and ethnic groups, though it is the poor who suffer most from marital violence, since they have no immediate access to private counseling and shelter for themselves and their children. Children, even when they are not physically assaulted, very often suffer deep and lasting emotional effects, and it is most often the children of those parents who commit domestic violence that continue the cycle and abuse their spouses....instances of domestic violence are considered to be the single most unreported crime in the state. It is the intention of the Legislature to begin to explore and determine ways of achieving reductions in serious and fatal injuries to victims of domestic violence and begin to clarify the problems, causes, and cure of domestic violence....it is the intention of the Legislature that the state shall support projects in several areas throughout the state for the purpose of aiding victims of domestic violence by providing them a place to escape the destructive environment."

The significance of the growing problem of domestic violence is evident in recent changes in California legislation. California Penal Code 13519 was added by statute in 1984 requiring the Commission on Peace Officer Standards and Training to implement by January 1, 1986, a

course or courses of instruction for the training of law enforcement officers in California in the handling of domestic violence complaints and also develop guidelines for law enforcement response to domestic violence. The instruction and guidelines stress enforcement of criminal laws in domestic violence situations, availability of civil remedies and community resources, and protection of the victim. This statute was amended in 1995 requiring law enforcement officers to complete, every two years, an updated course of instruction on domestic violence.

California Penal Code 13701 required every law enforcement agency in this state to develop, adopt and implement written policies and standards of officers' responses to domestic violence calls by January 1, 1986. The policies must reflect that domestic violence is alleged criminal conduct. This code was amended in 1995 to add that the policies shall encourage the arrest of domestic violence offenders if there is probable cause that an offense has been committed or if there is probable cause that a protective order has been violated. Peace officers shall make reasonable efforts to identify the primary aggressor (most significant rather than the first aggressor) to discourage dual arrests. These arrest policies shall be developed, adopted and implemented by July 1, 1996 with the input of local domestic violence agencies. Written policies and standards for dispatchers' response to domestic violence calls is also required, and dictates these calls be ranked among the highest priority calls.

Penal Code 273.81 was enacted in 1985 and amended in 1994 which established in the Department of Justice a program of financial and technical assistance for district attorneys' or city attorneys' offices, designated as the Spousal Abuser Prosecution Program. Spousal abuser prosecution units under this program shall concentrate enhanced prosecution efforts and are required to submit information on filing and trial statistics to the Department of Justice on a

quarterly basis.

The Family Code of the State of California was enacted by statute in 1992. Division 10 of the Family Code is cited as the "Domestic Violence Prevention Act" describing the purposes of the division "to prevent the recurrence of acts of violence and sexual abuse and to provide for a separation of the persons involved in the domestic violence for a period sufficient to enable these persons to seek a resolution to the causes of the violence." Family Code 6211 defines domestic violence as abuse perpetrated against any of the following persons: a spouse or former spouse; a cohabitant or former cohabitant; a person with whom the respondent is having or has had a dating or engagement relationship; a person with whom the respondent has had a child; a child of the party from whom the child is to be protected; and any other person related by consanguinity or affinity.

New Penal Code Section 1203.097(a) (enacted 1994, amended 1995, effective 1996) sets forth the minimum conditions of probation for violations in which the victim is a person defined in Section 6211 of the Family Code as follows:

- 1) a minimum of 36 months probation, summary or formal
- 2) a criminal court protective order against further violence and harassment, and stay-away orders and residence exclusion if appropriate
- 3) notice to the victim of the disposition of the case
- 4) successful completion of an approved one year batterer's treatment program with progress reports by the program to the court at least every three months and weekly sessions of a minimum of two hours classtime duration; and
- 5) a minimum \$200.00 payment for special domestic violence funds, depending on the defendant's ability to pay.

In addition, the court may order payment of up to \$5,000.00 to a battered women's shelter and

restitution to the victim. Any person convicted of violating 273.5 for acts occurring within seven years of a previous conviction is also required to participate in a batterer's treatment program. Minimum terms of incarceration for repeat offenders granted probation are also mandated by statute. Additionally, 1203.097(c) sets forth requirements regarding batterer's programs. The court or the probation department shall refer defendants only to batterer's programs that follow standards outlined in this subsection. The probation department is required to design and implement an approval process for batterer's programs and shall solicit input from criminal justice agencies and domestic violence victim advocacy programs.

The goal of a batterer's program under this code section shall be to stop domestic violence. A batterer's program shall consist of sixteen components. These components address the attendance and participation required of the defendant, the educational content of the program and the format, assessment and evaluation requirements, including periodic progress reports, and qualifications of staff. The programs are also required to provide information to the probation department and the court including proof of enrollment, the fee to be charged for each session, periodic progress reports, attendance and fee payment history, program compliance, final evaluation of the defendant's progress and recommendation for either successful or unsuccessful termination or continuation of the program.

In 1995, new Family Code 240.5 authorizes a judge of the Municipal Court to issue an temporary restraining order, including a protective order, when relief cannot be obtained in a timely manner from a judge of the superior court. Jurisdiction for hearings and all subsequent proceedings shall be in the superior court in this instance.

The significant increase in legislation indicates the need for an improved criminal justice

response to domestic violence cases. The numerous changes in legislation in the past five years illustrates the awakening of a social conscience and concern for victims plus the growing awareness that domestic violence negatively impacts society as a whole.

C. LOS ANGELES COUNTY'S DILEMMA

Domestic violence significantly impacts Los Angeles County. In 1994, nearly half of all Californians killed through domestic violence were killed in Los Angeles County. Also in Los Angeles County in 1994:

- Over 70,000 calls to law enforcement agencies stemmed from domestic violence;
- There were approximately 44,295 charges filed in the Municipal Courts related to domestic violence;
- In the first part of the year, a woman was killed by her husband or boyfriend on the average of once every day and a half.
(Los Angeles County Grand Jury Final Report 1994-1995)

Many victims of domestic violence choose not to seek help or call the police in an effort to cope, minimize the danger to themselves and their children, or to hold their family together. Often women do not have necessary financial resources to leave their partner and are unaware of public services available. When they do choose to call the police and remove themselves from their perilous situation, the risk to their safety often increases. In nearly three-quarters of spousal assault cases, the victim was divorced or separated at the time of the attack.

The courts must make it clear to batterers that causing physical injury to an intimate is a crime, and it will be punished. Batterers programs are the most common form of sentencing for abusers. In cases where the batterer continues to abuse the victim, the courts must separate the batterer and the victim by incarcerating the batterer. Life or death for victims can depend

on the criminal justice system's vigilance and competence in arresting, prosecuting, rehabilitating, and incarcerating batterers.

Los Angeles County has made great progress in its response to domestic violence. Judges around the county have received training in domestic violence issues and in new law. The District Attorney's office has mandated vertical prosecution of domestic violence cases where possible (i.e. a single attorney handles the case from start to finish), and has developed a departmental policy and capability which encourages attorneys to prosecute crimes with or without the cooperation of the victim. Improved models of response to domestic violence are also being examined by the Los Angeles Police Department and the Los Angeles County Sheriff's Department. They have initiated important training programs and departmental protocols on domestic violence. The number of battered women's shelters has increased in Los Angeles County from three in the 1980's to eighteen in 1995. Specialty task forces, public hearings on domestic violence and the establishment of the Domestic Violence Council are measures taken by Los Angeles County to improve domestic violence response in the last two years.

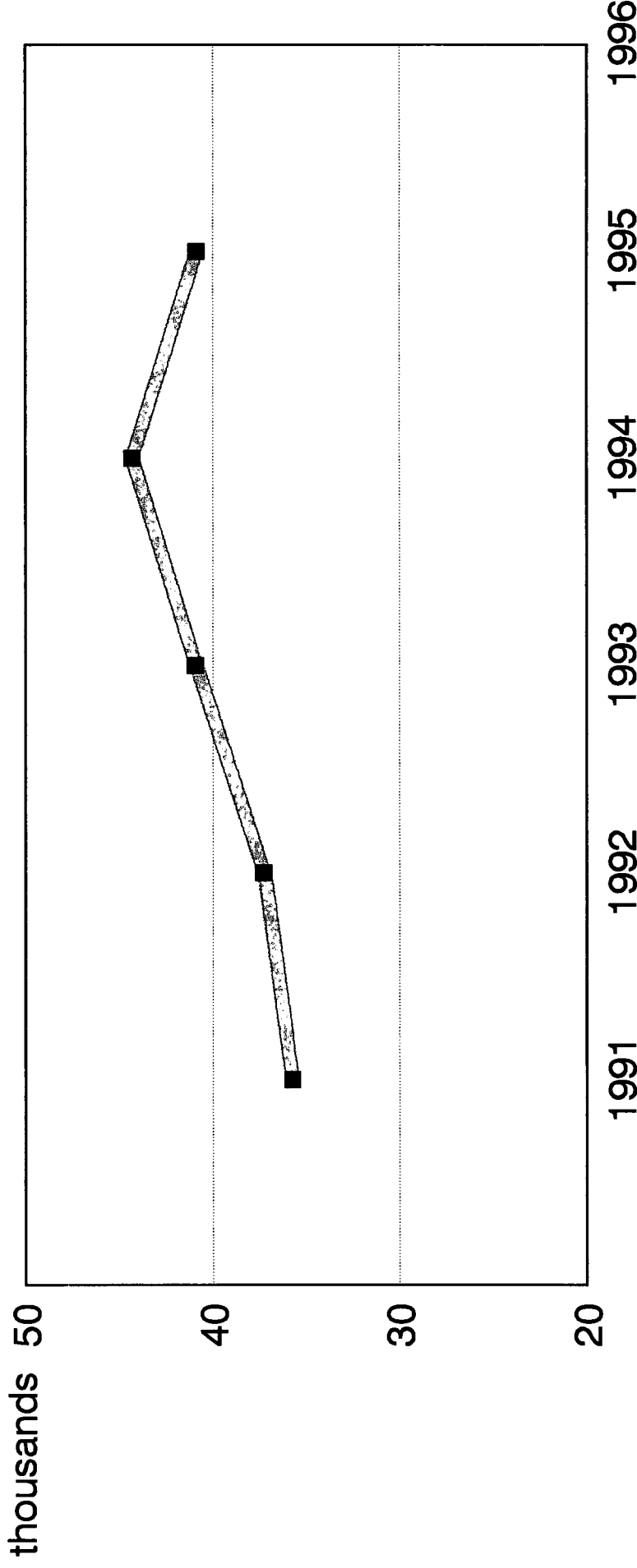
The number of domestic violence-related cases in Los Angeles County has increased steadily in the past four years as follows: **(Figure 3)**

- The number of domestic violence cases overall has increased from 24%, from 35,683 in 1991 to 44,252 in 1994;
- The number of felony domestic violence cases has increased 87.5% in the Los Angeles Judicial District and 90.6% countywide in the 1991-1994 period;
- The number of misdemeanor domestic violence cases has increased by over 20% countywide in the 1991-1994 period; and
- Domestic violence cases are now the second or third most frequent charge in many judicial districts, outnumbered only by drug offenses and by driving under the influence. (Los Angeles County Grand Jury Final Report 1994-1995)

MUNICIPAL AND JUSTICE COURTS OF LOS ANGELES COUNTY

Domestic Violence Cases Filed

1991 - 1995



* figures include all battery charges filed.

** approximately 35-40 percent of battery charges are related to domestic violence.

Figure 3

Certain problems exist despite greater awareness of domestic violence and training of court personnel. It was found that currently:

- Domestic violence cases are treated inconsistently and sometimes insensitively;
- Offenders in domestic violence crimes receive lesser sentences than offenders sentenced in crimes committed against strangers and;
- In many courts, statutory minimum sentences are not imposed, and other statutory conditions required for domestic violence crimes are not met.
(Los Angeles County Grand Jury Final Report 1994-1995)

The Los Angeles County Grand Jury reports that most courts do not assign domestic violence cases in any special way, nor do they have any special sentencing guidelines or protocols regarding domestic violence cases, according to the survey and reports from 19 Los Angeles County Municipal Courts. Interviews with District Attorneys, City Attorneys, and advocates revealed that many judges lack sensitivity to victims and knowledge of common issues in domestic violence cases, such as how to deal with reluctant or recanting victims. Also reported were incidents of dismissed cases despite significant evidence, minimal sentences for serious crimes, and release of perpetrators without sufficient attention to the safety of victims.

A lack of communication between criminal courts and civil courts results in conflicting court orders and allows abusers to continue to harass victims through civil actions. This problem is being addressed by the potential development of a coordinated case management system for domestic violence cases in the Los Angeles Judicial District.

Domestic Violence Training

In response to the Grand Jury's findings, a Domestic Violence Planning Group for the courts was formed under the leadership of the Presiding Judge of the Los Angeles Judicial District. One of the goals of this committee is to address the need for domestic violence training workshops for all judges.

The Los Angeles Judicial District, the largest Municipal Court in the United States, held the first ever comprehensive training in domestic violence for all Judges and Commissioners in September, 1995. The two one-day training sessions were a result of the leadership of the Presiding Judge of the Los Angeles Judicial District and the Domestic Violence Planning Group for the courts.

The Los Angeles training was patterned after the national model produced by The Family Violence Prevention Fund's publication, Domestic Violence: The Crucial Role of the Judge In Criminal Court Cases. The agenda incorporated speakers on the dynamics of family violence, small group deliberations, and plenary sessions addressing the issues of the small group deliberations.

The small group deliberations focused on hypothetical case studies in the following three areas: pre-trial/release considerations, evidentiary hearing/trial considerations, and case dispositions. After the small group deliberations, plenary sessions addressed each of the three areas and encouraged dialogue from all participants.

Extensive written materials were disseminated which included the 1990 Domestic Violence Benchguide for Criminal Courts published by California Center for Judicial Education and Research (CJER), the 1995 update to the CJER benchguide prepared by Allyn M. Sullivan and

Theresa Jauregui, staff attorneys of the Los Angeles County Municipal Courts Planning and Research Unit and miscellaneous information obtained from Domestic Violence: The Crucial Role of the Judge In Criminal Court Cases. This comprehensive training session also serves as a pilot project for future training for all judges in Los Angeles County.

Advancements in the Criminal Justice System

The Los Angeles District Attorney and the Los Angeles City Attorney have also taken steps to prosecute domestic violence cases more effectively. The District Attorney, through its Family Violence Division, has mandated vertical prosecution of felony domestic violence cases with trained deputy district attorneys, and has created a capability to prosecute cases with or without the cooperation of the victim. Reluctant or recanting victims remains the major barrier to effective prosecution of domestic violence cases although Victim Witness Advocates have been highly successful in increasing the cooperation of victims.

Improved police intervention in domestic violence is currently a major focus in Los Angeles County. Some agencies give reports of all domestic violence calls to the local battered women's agency. The agency subsequently contacts the victim by telephone and advises them of information, support, and services available. Domestic violence kits that include a Polaroid camera to document injuries or other evidence, forms to obtain an Emergency Protective Order, flyers from the local shelter, and a stuffed animal for children are placed in all police vehicles in some agencies. Staff volunteers from domestic abuse centers team up with police officers to provide crises management and follow-up for domestic violence victims.

D. DYNAMICS OF DOMESTIC VIOLENCE

The "What, Why and Who" of Domestic Violence

Domestic violence is a pattern of assaultive and controlling behavior that one adult intimate does to another. Domestic violence includes emotional, psychological, and sexual abuse as well as any other behavior a person uses to control a partner. Domestic violence occurs in about 25% of our homes (Paymar, 1993). Some domestic violence behaviors are criminal and some do not constitute criminal conduct (**Figure 4**). Chargeable as a crime or not, all are part of the perpetrator's controlling pattern. Certain acts may appear to be directed against or involve the children, property, or pets, when in fact the perpetrator is conducting these behaviors to control or punish the adult victim.

Domestic violence is not a separate, individual event. One battering episode builds on past episodes and sets the stage for future episodes. Most men who hit once will hit again. Domestic violence is embedded in a significant pattern. It is not an isolated incident and follows a predictable course of escalation.

Dr. Lenore Walker identified a three-phase theory of battering. The three cycles of abuse are 1) tension building; 2) explosion; and 3) loving reconciliation. During the tension building phase, the batterer is increasingly tense, angry, demanding and critical. The victim attempts to mollify and pacify the batterer and blames herself for his tension and displeasure. During the explosion, the batterer is out of control and no longer understands his own anger only that he wants to teach the victim a lesson. The loving reconciliation is welcomed by both the batterer and the victim. The batterer is sorry and tries to make up by showering the victim with love and

Behavioral and Criminal Definitions of Domestic Violence

Type of Domestic Violence	Behaviors (Includes both criminal and non-criminal acts)	Crimes
Physical Battery	slapping, punching, kicking, choking, hitting, burning, assault with a weapon, shoving or pushing, etc.	simple assault, aggravated assault, attempted homicide, homicide, etc.
Sexual Battery	forced sex, attacks against genitals, forcing sex in front of children, pressured sex, unwanted sexual touching, etc.	assault and sexual assault laws, child abuse, laws, etc.
Psychological Battery	threats of violence, suicide, child snatching, reckless driving to intimidate victim, isolating, interrogating, controlling, or degrading victim, etc.	harassment, menacing, custodial interference, threats, stalking, vehicle offenses, etc.
Battery on Property/Pets	attacks against property to control victim, hitting walls, destroying objects, giving away property, setting fire to property, tormenting pets, etc.	theft, property destruction, arson, vandalism, trespass, cruelty to animals, etc.
Battery on Children	children witnessing violence, kidnapping, child concealment, threats of violence, injury to child during assault on victim, etc.	child endangerment, child concealment, kidnapping, child abuse, etc.

Figure 4

attention. The victim and perpetrator may deny or minimize the violence at this stage and the victim wants to believe it will never happen again. The victim usually ends up feeling responsible for the abuser as well as for her own victimization. This cycle of violence changes over the course of a relationship. The tension building phase may become shorter and more intense, the explosion may become longer and more severe, and the loving reconciliation may be shorter or even nonexistent. (Walker, 1979)

It is the perpetrator's use of physical force that gives power to their psychological abuse. The psychological battering becomes an effective weapon in controlling victims because victims know through experience that perpetrators will at times follow through with their threats with physical assaults. The physical and psychological battering are closely interwoven and give the perpetrator their power to control.

National crime statistics show that approximately ninety-five percent of spouse abuse victims are women (Klaus & Band, 1984). While women sometimes do use physical force against partners, it is often self-defensive violence (Saunders, 1986). Furthermore, studies indicate that while both men and women sometimes use some of the same behaviors, the effects of male violence are far more serious than female aggression as measured by the frequency and severity of injuries (Berk, Berk, Loseke & Rauma). Although there seems to be a gender pattern to domestic violence, the courts must determine the primary aggressor and take domestic violence seriously regardless of who is doing it to whom.

Without intervention, the pattern of assaultive behaviors will escalate in both frequency and severity. The pattern may change with more emphasis on psychological assault, with only intermittent physical assault, or the physical may get increasingly worse. The overall pattern will

escalate and physical and psychological injuries to the victim will become more severe.

The F.B.I. reports that each year one-third of all female homicide victims in this country are killed by a husband or boyfriend (F.B.I. Uniform Crime Reports, 1988). Domestic battering is the single major cause of injury to women, even more than the combined numbers of injuries caused by auto accidents, rapes and muggings (O'Reilly, 1983). The lethality of domestic violence often increases at times when the perpetrator believes that the victim has left the relationship. For this reason it is critical that the court use all available legal remedies to provide the victim with protection throughout the duration of the criminal justice process.

Female victims, desperate to protect herself and her children, occasionally kill the perpetrator. Research on battered women who kill reveals that the men who were killed had been more violent against the victim and children than those who were not killed (Browne, 1987). The role of the court is vital since it has the opportunity to stop the violence before it escalates to a homicide.

Men are not naturally violent. Domestic violence is learned and reinforced by interactions with all of society's major institutions: the familial, social, legal, religious, educational, mental health, medical, entertainment, media, etc. In all of these social institutions there are various customs that perpetuate the use of violence as legitimate means of controlling family members at certain times. Domestic violence is inadvertently reinforced when the criminal court discounts it as a private matter and fails to hold the perpetrator accountable.

The roots of men's violence against women can be found in the "Superman Myth". Society's expectations of men and men's expectations of themselves are in many ways unrealistic and unhealthy. Male movie characters are portrayed as tough, fearless and they usually get their

way. Their tough exterior is projected as attractive to the female stars, whom they usually save from a dangerous situation. These "supermen" are so courageous that they boldly fight or kill scores of bad guys single-handed. Other social institutions perpetuate the superman myth as well. The armed forces as well as inner city gang members are expected to be fearless. Fighting the enemy and the willingness to kill proves loyalty and manhood. Corporations look for bold leaders who will defeat the competition. Sports teams demand "supermen" who will even play while injured. The emphasis is "men must win at any cost".

Boys are taught to eliminate anything in themselves that society regards as feminine. Men are socialized to view so-called feminine characteristics such as sensitivity and the expression of feelings with hostility. These qualities are perceived as opposite to what is required to be a real man. By the time boys are men they have learned to deny gentle or vulnerable feelings.

Our culture encourages violence in many ways. Men believe that decisions must be theirs. They believe that there cannot be two bosses and that someone has to settle conflicts about children, money, social events and other issues in a relationship. In order to justify taking this power, many men fall back on tradition: being the man of the house means getting to call all of the shots.

Violence against women is a direct result of the sexist attitudes and beliefs which condone male domination over women. The male gender in all its institutions has discriminated against, or sought to control, women. Violence is the cornerstone of this control. The inability for women to feel safe to move freely at night alone is an example of the effect male violence has on all women. Men's sense of traditional male power is reinforced when a woman asks a male

to accompany her because she does not feel safe to be alone. The male experiences a feeling of personal power in relation to her and her dependence on him.

The "traditional relationship" in a marriage where the wife is responsible for household and childcare obligations while the husband goes to work and is the breadwinner changed drastically in the United States during the 1970's and 1980's (Paymar, 1993). The economic reality of a one-person income is no longer enough to support a large majority of American families. Women have gone back to school and entered the work force. For many men, the inability to earn enough money on their own creates a sense of failure, especially for men who have traditional and rigid expectations of the roles of men and women. These men will often use violence to bolster their power and domination over their spouse.

Attitudes about women, men, and relationships can be traced to many childhood experiences. Boys are taught at an early age that violence is an acceptable way to handle conflict. They play imaginary games of war, watch violent movies, compete in violent sports and read violent comic books. Violence against women is an attitude often developed among peers and reinforced from male friends.

Domestic violence is repeated because it works and produces immediate results. The motive is indisputably to stop his partner from saying or doing something of which he disapproved, or to punish her for doing something he did not like. Stress is not a cause of domestic violence. The perpetrators consciously direct their behavior. They are making choices even when they are supposedly out of control. Violence is chosen to get what they want or feel they are entitled.

Alcohol and drugs do not cause non-violent persons to become violent but are often used

as the excuse for battering. The effects of alcohol and drugs can reduce inhibitions, impair judgment, and escalate the severity and intensity of the violent behavior. However, changing domestic violence behavior is impossible without also stopping the substance abuse.

Perpetrators of domestic violence can be found in all age, racial, socioeconomic, educational, occupational, and religious groups. A common personality trait of domestic violence perpetrators is the great need to be in control of others, especially of the victim. They are very controlling of situations and other people. Perpetrators also tend to be excessively jealous and possessive. They are possessive of the victim's time and attention and often accuse victims of sexual infidelity and other infidelities such as spending too much time with the children or others. Their jealousy is usually not based on reality but instead is one more aspect of the perpetrator's pattern of coercive control.

Boys who witness domestic assaults when growing up are more likely to use violence as adults. Researchers estimate that 50-70% of men who batter either witnessed battering at home or were themselves abused by a parent (Rosenbaum & O'Leary, 1981). The boys see their fathers use violence with no negative repercussions for their actions, and they get the message that it works. Another message the child gets is that the father is boss.

Domestic violence perpetrators may also have good qualities in addition to their abusiveness. They may be good providers, hard workers, good conversationalists, witty, charming, and intelligent and still batter their victims. Society envisions the perpetrator to be a "monster", but in reality, even the seemingly normal and nice people may batter and be very dangerous.

Victims of domestic violence also come from all groups. They are not limited to any

race, age, socioeconomic class, educational level, or occupation. Being the victim of domestic violence is the result of behavior done by another person rather than the result of personal characteristics. Consequently, there is no particular type of person who is battered. There is no evidence that previous victimization either as adults or as children results in women seeking out or causing current victimization (Walker, L. 1984).

Victims of domestic violence may be very isolated as a result of the abuser's control over the victim's activities, friends, and contacts with family members. The perpetrator increases their psychological control over the victim to the point that they literally determine reality for the victim.

A victim's behavior, including being reluctant to testify as a witness in a criminal trial, is consistent with being traumatized by violence and battered by an intimate. Often how the victim is acting is in direct response to what the perpetrator did prior to the court appearance or is doing during the proceedings.

The collection of specific characteristics and effects of abuse on battered women are collectively known as *Battered Woman Syndrome* (Walker, 1984). Together they result in a victim's decreased ability to respond effectively to the violence. Victims may appear traumatized, withdrawn, and nonresponsive. They may suffer from lowered self-esteem and may have developed coping behaviors to increase their personal safety. They may minimize and deny the danger they have endured and may rely on drugs or alcohol to cope with the severity of the violence. Effective January 1994, California Evidence Code 1107 made admissible expert testimony on battered women's syndrome, including the physical, emotional, or mental effects upon the beliefs, perceptions or behavior of victims of domestic violence, to encounter the

problems of reluctant or recanting victim witnesses.

Many factors contribute to a victim staying in abusive relationships including economic dependence, religious and family pressures, security, love, duty, guilt, shame, low self-esteem, psychological and physical trauma, denial, and survival. It is a myth that victims of domestic violence stay with the abuser because they like to be abused. The primary reason given by victims of domestic violence for staying with the perpetrator is the realistic fear of escalating violence. Research shows that domestic violence escalates when the victim leaves the relationship. National Crime Statistics show that in almost 75% of reported spousal assaults, the partners were divorced or separated (U.S. Department of Justice, 1983, Washington D.C.).

Children are also victims of domestic violence. They may be physically abused by being used as a weapon by the perpetrator or abused as a way to coerce the victim to perform specific acts. Sometimes the children are accidentally injured when the batterer is assaulting the victim. Women's shelters report that the number one reason women give for fleeing is that the perpetrator was also attacking the children (based on a survey conducted at New Beginnings, a shelter for battered women in Seattle, Washington, 1990).

Research reveals that children who witness domestic violence are effected in the same way as children who are physically and sexually abused. The negative effects of domestic violence are immediate in interrupting childhood development with cognitive, psychological, and physical symptoms: eating/sleeping disorders; depression; withdrawal; aggressive acting out; destructive behavior; restlessness; shaking; stuttering and school problems (Jaffe, Wolfe & Wilson, 1990). According to Michael Paymar, children are present during 80% of the assaults against their mother (Paymar, 1993).

There are also long term negative effects as these children become adults. Male children in particular have a high likelihood of battering intimates in their adult relationships. Research shows that boys who witness violence between their parents are almost three times more likely to become batterers than are the sons of non-violent parents (Straus, Gelles & Steinmetz, 1980). Sometimes the children do not wait to become adults before using violence themselves against the victim, the abuser, their peers or other adults.

The Commonwealth of Massachusetts, Department of Youth Services reported in 1985 that children growing up in violent and abusive homes are 74% more likely to commit crimes against another person. The potential of creating a violent society in the future is evident.

Research sponsored by the National Institute of Justice (NIJ) found that childhood abuse increased the odds of future delinquency and adult criminality overall by 40 percent. The "cycle of violence" hypothesis suggests that a childhood history of physical abuse predisposes the survivor to violence in later years. Childhood victimization represents a widespread, serious social problem and is a critical priority for criminal justice officials and the public.

Domestic violence even ripples out into the community as the perpetrator's violence against the victim also results in the death or injury of those attempting to assist the victim, or those who are innocent bystanders. The cost to the community in lost lives and resources reinforces the fact that domestic violence is not a family affair and it is not a private affair, but rather a community affair demanding a community response. The criminal justice system's response to domestic violence must be part of a coordinated community effort to end the devastating consequences of violence within the family.

Violence against women will cease when men renounce the thinking and practice of

dominance. Men need to understand how their attitudes and beliefs about women, men and relationships ultimately influence how we treat each other. The fact that domestic violence is learned means that the perpetrator's behavior can be changed. Most individuals can learn not to batter when there is sufficient motivation for changing that behavior. Change will happen if change is wanted. The batterer must take responsibility for past behavior and not blame others in order for positive change to take place. Abusers can be rehabilitated, and the court can play a strong role in providing them with sufficient motivation to change. The court participates by holding perpetrators accountable for both the domestic violence and for stopping the pattern of coercive control, while prioritizing the safety of the victim and the community throughout the criminal justice process.

Batterer's Treatment Programs

The goal of a batterer's program is to stop domestic violence. The components include educational programming that examines the nature of domestic violence and strategies to hold the defendant accountable for the violence in the relationship. The dynamics of power and control and the effects of abuse on children and others are also focal points.

The *Duluth Model* is continually used as the curriculum basis in batterer's treatment programs. This approach was formulated by Ellen Pence and Michael Paymar along with dozens of people involved with the Duluth Domestic Abuse Intervention Project (DAIP) over a twelve year period.

The curriculum in the Duluth Model is based on the theory that violence is used to control people's behavior. The curriculum is designed to explore the intent and source of a batterer's

violence and the possibilities for change through seeking a different kind of relationship with women.

More than 200 battered women in Duluth who participated in 30 educational sessions sponsored by the shelter designed the Power and Control Wheel (**Figure 5**), which depicts the primary abusive behaviors experienced by women living with men who batter. These women described the abuse as a constant force in their relationship to gain control over their actions, thoughts and feelings, rather than a cyclical behavior, being related to men's inability to cope with stress. The Power and Control Wheel illustrates that violence is part of pattern of behaviors rather than isolated incidents of abuse or cyclical explosions of pent-up anger, frustration, or painful feelings.

Abusers are capable of personal transformation. First, the abuser must be held fully accountable for his use of violence by a community that establishes and enforces consequences for continued acts of abuse. Second, he must have an environment that is nonviolent, nonjudgmental, and respectful of women and children in which to start making those changes. And finally, he must be willing to work through a long process during which he is painfully honest with himself and becomes accountable to the woman he has harmed.

It is essential that a batterer has a personal commitment to give up his position of power, otherwise, he will eventually return to the use of threats or violence to gain control. Every aspect of the Duluth Model intervention process and the curriculum is designed to challenge a lifelong pattern of thinking, rationalizing, and acting that leads to violence and other forms of abuse.

A man's thinking and view of the world reflect his beliefs. Many structured exercises in this curriculum assist men in understanding the origins and implications of their beliefs. Men are

Power and Control Wheel



Figure 5

also challenged to see their use of violence as a choice- not an uncontrolled reaction to their past, their anger, or their lack of skills- but a choice.

The Duluth Model curriculum is designed to help men stop battering by achieving five objectives.

- To assist the participant to understand that his acts of violence are a means of controlling his partner's actions, thoughts, and feelings by examining the intent of his acts of abuse and the belief system from which he operates.
- To increase the participant's understanding of the causes of his violence by examining the cultural and social contexts in which he uses violence against his partner.
- To increase the participant's willingness to change his actions by examining the negative effects of his behavior on his relationship, his partner, his children, his friends, and himself.
- To encourage the participant to become accountable to those he has hurt through his use of violence by helping him to acknowledge his abuse, accept responsibility for its impact on his partner and others, and take specific steps to change.
- To provide the participant with practical information on how to change abusive behavior by exploring noncontrolling and nonviolent ways of relating to women.

The curriculum is based on eight themes. Each theme represents an aspect of nonviolent and respectful relationships. The eight themes are depicted on the Equality Wheel (**Figure 6**) and include nonviolence, nonthreatening behavior, respect, support and trust, accountability and honesty, sexual respect, partnership, and negotiation and fairness. The behaviors and aspects of an egalitarian relationship become the model offered to men for egalitarian and interdependent relationships with women.

The Duluth Domestic Abuse Intervention Project (DAIP) conducted a study to evaluate the program success. In 1984-1985, the DAIP along with 11 formerly battered women developed a questionnaire to determine the level of satisfaction with seven aspects of community

Equality Wheel

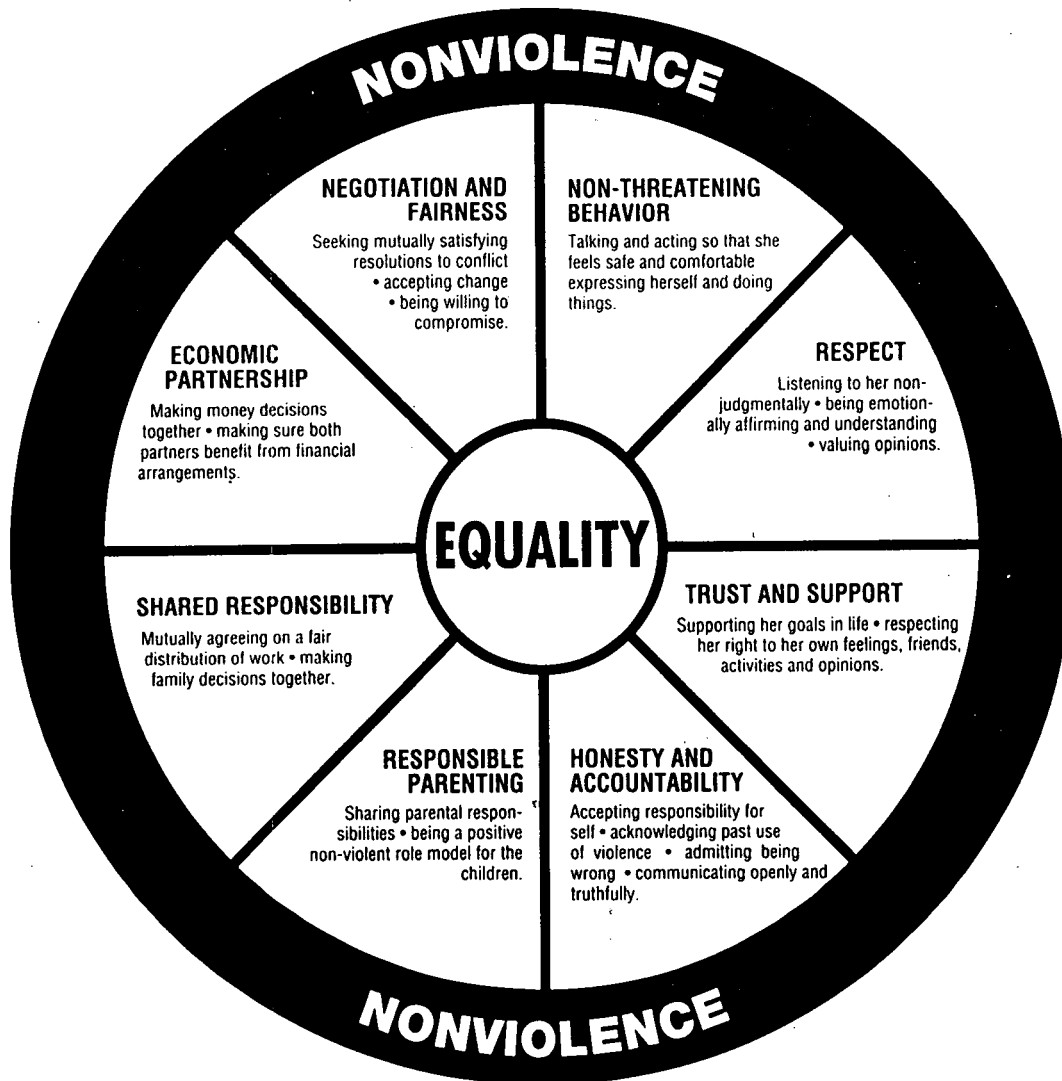


Figure 6

intervention which included an evaluation of counseling and education groups for batterers. The questionnaire was mailed to a random sample of women two years after their initial contact with the system. Sixty percent of the women reported that they felt safer when the assailant was participating in education and counseling groups. Eighty percent reported that the combined response of the police, courts, DAIP, and the shelter had been helpful or very helpful in ending the abuse.

Another study revealed changes on abusive behavior at different phases of the counseling and education program (Shepard, 1987). Lower rates of abuse were reported by battered women and batterers at later program phases, with significant reductions in physical and psychological abuse occurring during the first three months of the program. Lower rates of abuse were reported at one year follow-ups of battered women. Battered women consistently reported that the batterers were significantly more abusive than the batterers themselves reported.

A more recent study examined abusive behavior over a 5 year follow up period (Shepard, 1992). This study reviewed police and court records to determine recidivism rates. Of the 100 men included in the sample, 40 were identified as recidivists: 22 had been convicted again for domestic assault, 15 were the subject of protection orders because of domestic assault, and 3 were police suspects for domestic assault.

Measurement issues include how to measure abuse and from whom to collect the information. Programs can collect data from batterers and battered women, and data can be collected from police and court records.

Domestic abuse intervention is a relatively new field in which there must be room for innovation, evaluation, and modification to develop effective intervention strategies. Evaluation

efforts are rarely entirely favorable. Research suggests that many batterers are not amenable to change (Shepard, 1992). Program goals must remain high in light of the likelihood that positive results are not easily achieved.

In 1991, under the auspices of the DAIP, Ellen Pence and Michael Paymar conducted an impact survey of 76 shelters for battered women in 30 states and the Province of Ontario, Canada, to determine the perspective of shelter workers on the impact of batterers' programs on their work and on battered women. The responses were mixed, with some shelters reporting that batterer's programs had improved the responses of the system to battered women, the ability of shelters to work with women to stop the violence in their lives, and safety for battered women. Others reported just the opposite. Fifty-five percent of shelters reported a decrease in violence as a result of the batterers' program, forty-two percent noted no change, and four percent saw an increase in violence.

Although most shelters felt batterers' programs decreased violence against women, almost half felt they had no impact, or worse, actually increased the violence. The survey results indicated that many batterers' programs do not improve the situation for battered women and a few actually made it worse. Some batterers who go through these programs frequently shift from using physical violence to other forms of abuse to control their partners.

Adele Harrell, Ph.D., Senior Research Associate at the Urban Institute conducted a study of court-ordered treatment programs for the State Justice Institute in 1991. Her research found that court-ordered treatment programs failed to meet the expectations of the victims, the courts, and the likelihood of reducing future violence. She studied treatment programs to which offenders were ordered as part of the disposition of criminal cases heard in Baltimore County

District Court. These programs provided 8 to 12 weekly group sessions designed to change behaviors such as violence and psychological abuse and to modify attitudes.

The study was restricted to one site and reviewed only one model of program. Dr. Harrell recommends that courts replicate this study in other areas with different models. She notes that the treatment programs tested could have been inadequate or that the test procedures could have been implemented inadequately. The effectiveness of treatment may also have been reduced due to failure to impose sanctions for noncompliance. More than a quarter of those ordered to treatment did not complete the program.

Sometimes a man must be physically prevented from being violent. Jail, exclusion orders, and denial of visitation are often needed to stop the violence. This does not mean the batterers' program has failed, but that the man has not yet made the decision to change. Making the choice to change will lead to true success.

E. SPECIALIZED COURTS

A recent advancement in court strategy is the establishment of specialized courtrooms. This approach has been adopted by courts to deal with the problem of increased caseloads. The goal of improving the management of cases is targeted by the use of specialized courtrooms. Specialized courtrooms have been implemented by many courts to handle drug cases and on a smaller scale, domestic violence cases.

Goals and objectives

The goals and objectives of specialized courts appear to include a similar focus: effective

case management to expedite dispositions of an increased caseload, the development and implementation of meaningful programs which improve the quality of case dispositions and reduce recidivism, and provide more intensive case management and supervision by the judicial officer.

Goals and objectives vary from jurisdiction to jurisdiction according to their specific needs and problems. A more uniform approach and consistency in sentencing is also cited as a major goal of one specialized court. The goal of expediting dispositions and cleaning up tremendous backlogs is yet another rationale. Some specialized courts concentrate on rehabilitation and treatment programs as their major focus.

Common attributes and benefits of specialized courts

Notwithstanding the specialized courts purpose or goal, typical attributes prevail. Evidence suggests that significant reductions in case-processing time and in backlogs have often resulted from the establishment of specialized courtrooms. This often leads to faster processing of other cases as well. When specialized courtrooms are implemented, the cases no longer must compete for the court's attention. Since the specific type of case is the sole business of the court, the staff becomes proficient at disposing of particular types of cases, in other words, the staff also becomes specialized.

Strict scheduling systems and sentencing guidelines are often a common component in specialized courts. The tendency for courts to draft specific guidelines regarding each step of the criminal process for individual charges is uncommon. Each states' standard codes may set forth minimum and maximum sentences, but the judicial officer is generally free to impose a subjective

sentence. Specialized courts enable judges to implement and enforce a strict scheduling system with written policies and sentencing guidelines. The District Attorney, Public Defender and local bar know in advance the expectations and policies of the court. This awareness eliminates "playing the game" so to speak and participants cannot manipulate the court system as in the past. The absence of such guidelines can foster sentence disparity and have a significant impact on plea negotiations. Predictability in judicial approach is common in specialized courts and facilitates case processing.

Another common aspect of specialized courtrooms is the personal dedication by the judicial officer. Handpicked judges with expertise, interest and concern for the type of cases assigned to them facilitates superior use of judicial resources. The prosecutor, defense attorney, defendant, victim, and the public sense the judges commitment and desire to enhance the interests of justice. The judge will be taken seriously and the crime will be viewed as significant.

Judicial officers who preside over a specialized courtroom have generally received extraordinary training with respect to their caseload. This expertise is beneficial for the understanding of the behavioral dynamics regarding the crime and to aid in decision-making. The day to day processing of like cases also contributes to the proficiency and skill of the judicial officer and staff in the treatment of such actions. The participants truly become experts in their unique arena.

Another commonality among specialized courtrooms is the cooperation and motivation of the staff. There appears to be a philosophy of teamwork and purpose which facilitates high morale and productivity. Being part of a successful specialized courtroom promotes feelings of accomplishment and pride to those involved. The opportunity to help change offenders lives for

the better is a worthy challenge.

For the defendant who appears in a specialized courtroom, it is a very personal experience in an impersonal system. The defendant realizes that someone is really paying attention to what's happening to them. Since the defendant appears before the same judge at each appearance, the parties build a relationship. No longer can the defendant come up with the same excuses since the judge will remember him/her. Judges in specialized courtrooms hold the defendants accountable and responsible for their actions. The defendant must follow the requirements imposed or answer to the judge.

Specialized courts tend to utilize treatment programs to rehabilitate the offender as a primary response rather than a secondary one. Incarceration coupled with a batterer's treatment program appears to be the most effective penalty in domestic violence cases. The jail sentence gets the defendant's attention and the treatment program addresses modifying the defendant's behavior. Treatment programs are also used as an alternative to prosecution. The treatment programs focus on the behavioral causes of the offenders crime and offer alternative solutions and behavior modification. Specialized courts also stress the importance of accountability and responsibility of the defendant. The willingness to change on the part of the offender is necessary for success.

Frequent mandatory court appearances is a customary standard in specialized courts. The court closely monitors the defendant throughout pre-conviction and post-conviction status. The court takes on the responsibility of supervising the defendant, where in the past this was done by the probation department. The court is able to exercise more control and cause a positive effect on the defendant. Sincere concern, encouragement and expressed confidence from the judge

inspires the defendant to continue the treatment process. These hearings also encourage other persons in the courtroom to complete their classes and treatment. Hearing the accomplishments of others in court is a strong incentive to succeed.

Victims also benefit from specialized courtrooms. The judge and staff understand the dynamics of domestic violence and can treat them appropriately. Support, compassion and sensitivity towards the victim will better ensure their cooperation and ultimate safety. Written materials regarding available victims services can be accessible in the courtroom along with staff that can answer questions.

A defendant processed through a specialized court will generally receive specific detailed written instructions regarding the court's expectations. Written information and materials stress the importance of the information. The defendant knows at all times the required behavior or actions that are expected. Stay away orders, terms of probation, treatment program information, and future mandatory court appearance dates are among the written details given to the defendant. This assures the court of the defendants understanding and places the responsibility on the defendant to comply.

A common response to probation violations is the use of graduated sanctions. This approach promotes and supports the defendant's efforts to participate in the treatment program. A limited sanction for the first probation violation is imposed, such as two days in jail, which is then increased for each subsequent violation. When a defendant is arrested on a new charge, a violation of probation hearing is scheduled promptly after arrest, and the defendant may plea to the violation in exchange for dismissal of the new charge. In appropriate cases, the benefits of immediately resolving the alleged violation significantly outweighs the benefits of prosecuting

the new offense in light of judicial time and costs associated with prosecution. Immediate resolution also enhances the credibility of the judicial process.

The judge in a specialized courtroom is typically an effective leader. The judge's personality is interpreted as outspoken, hard-working, no-nonsense and affable. The judge actively participates in the organization, design, and implementation of the program. He or she takes the initiative and brings the necessary agencies and other interested parties together for a coordinated review of court procedures. Judicial leadership involves forming innovative partnerships that share resources and coordinate efforts. Finally, the judge of the specialized courtroom is an advocate. His or her encouragement and support of the program is essential.

It is hoped that a reduction in recidivism will be a result of specialized courtrooms. By breaking the cycle of violence through education and behavior modification offered by the treatment programs, incidents of domestic violence should decrease. The immense cost to communities and the reduction of suffering to the victims and the children of victims is a priority in the fight to stop domestic violence. There is much difficulty in measuring recidivism since not all incidents of domestic violence result in arrest. It is still too early to tell what the long-term effects of the specialized courtroom will have on the individual, recidivism and the court system.

The approach of concentrating domestic violence cases in one courtroom also strengthens public approval of the court system. The court sends a clear message to the community that domestic violence will not be tolerated and the public will see the court as taking the crime of domestic violence seriously. The court's innovation and desire to improve the administration of justice is welcomed and applauded.

The differences among specialized courts include the degree of coordination between agencies, funding sources, evaluation procedures, and the ability to coordinate family court matters with criminal cases. Understandably, many outside circumstances and situations effect the strategy and components utilized in developing and implementing a specialized court.

Negative attributes of specialized courts: common problems and costs

The disadvantages of specialized courtrooms appear to be outweighed by the benefits. There is concern that treatment courts are blurring the distinction between prosecution, defense, and judicial roles and the implications of placing large numbers of defendants under court supervision for long periods of time.

Another consideration of specialized courts is "job burnout". Domestic violence cases are highly emotional to all persons involved and they take their toll on the staff. Because the judge and staff develop a rapport with the defendants, their failure to succeed can be internalized. Processing the same type of cases day after day can become repetitious. Cases may be handled in a robotic manner, dehumanizing the experience and reducing the seriousness of the offense. The judge, district attorney and court staff may become de-sensitized by large caseloads involving the same circumstances.

More lenient sentences are often associated with quicker dispositions in specialized courts. It can be construed that case quality is sacrificed for case quantity. The specialized court must be careful that by following strict sentencing practices each case is still given the careful consideration it deserves.

Specialized courtrooms may result in the inefficient use of judicial resources. Workloads

may be unevenly distributed. If officials in the specialized courtroom complete their work early, mechanisms should be installed to send them overflow cases from other courts. A backlog in the other courtrooms may occur as a result of uneven caseloads.

Usually there are some monetary considerations involved in developing and implementing a specialized court. Courts need to anticipate start-up and operating costs. The costs involved will depend on specific factors of the specialized court. Also, obtaining the cooperation of various participants in a court system is not always easy. Other agencies may not share the courts enthusiasm and commitment to the project, thus causing hurdles along the way.

The disadvantages of specialized courtrooms are nominal when compared to the overwhelming benefits. The combination of comprehensive services, regular monitoring and personal attention offered by specialized courts appears to be successful and further the ultimate goal of reducing the incidence of domestic violence and relieving the suffering of its victims.

3. METHODOLOGY

The general research design used in evaluating the Domestic Violence Courtroom Pilot Project was comparative analysis. Since the major objective of the project asserted uniformity and consistency in processing, a comparison of cases before and after the project was utilized. This method of research facilitated a numerical correlation of pre-determined variables.

Two data collection forms were developed, a *before* and an *after* version, listing the variables to be collected (**Appendix B**). Seventeen variables were identified as relevant in comparing the objectives of the project. A pre-test of the data collection forms resulted in revisions to eliminate extraneous information. The revised corresponding form was duplicated for each case to be examined.

A simple random sample of domestic violence cases was utilized in the collection of representative cases. All data were collected at Citrus Municipal Court during the month of January, 1995. The required variables were recorded on the corresponding data collection form. Extracting the precise data necessitated approximately three weeks of labor.

A specific list of domestic violence filings was not available prior to the creation of the domestic violence courtroom. In order to collect the *before* sample, calendars for each criminal courtroom were generated from the criminal automated system known as the Trial Court Information System. The dates selected were the first court day of the month for January, February and March of 1994. All domestic violence cases listed on the selected calendars were reviewed to extract the required information.

The *after* sample was collected by generating calendars for the domestic violence

courtroom for the "odd" court days for the months of October and November 1994. These months were selected to allow a time frame sufficient for completion of the one year batterers program. Only cases calendared for arraignment were utilized as sample cases to allow accurate tracking of case processing after implementation of the domestic violence courtroom on October 3, 1994.

The total number of *before* and *after* samples consisted of sixty case files each. Next the cases were classified according to the charge. The four most frequently filed charges were analyzed.

The samples collected were consistent with actual cases regarding the types of charges filed. Violation of Penal Code Section 273.5 (corporal injury to a spouse or cohabitant) was the most frequently filed domestic violence charge, followed closely by willful and unlawful use of force upon another person, battery (Penal Code Section 242) and willful disobedience of a court order (Penal Code Section 166(a)(4)) succeeding battery charges (**Figure 7**). Only a small portion of cases were charged as intentional and knowing violation of a protective order (Penal Code Section 273.6(a)). The remaining domestic violence charges were too sporadic and few to compare.

Once the data collection forms were completed, each variable was tabulated to reflect either a percentage of the total or the mean/median was calculated (**Tables 1, 2, 3, and 4**). The specific variable determined which method of calculation was performed. In some instances the mean/median was the selected measurement and in others a demonstration of percent was the preferred method. The seventeen variables enumerated in the tables are defined as follows:

CITRUS MUNICIPAL COURT

Domestic Violence Charges Filed for 1995

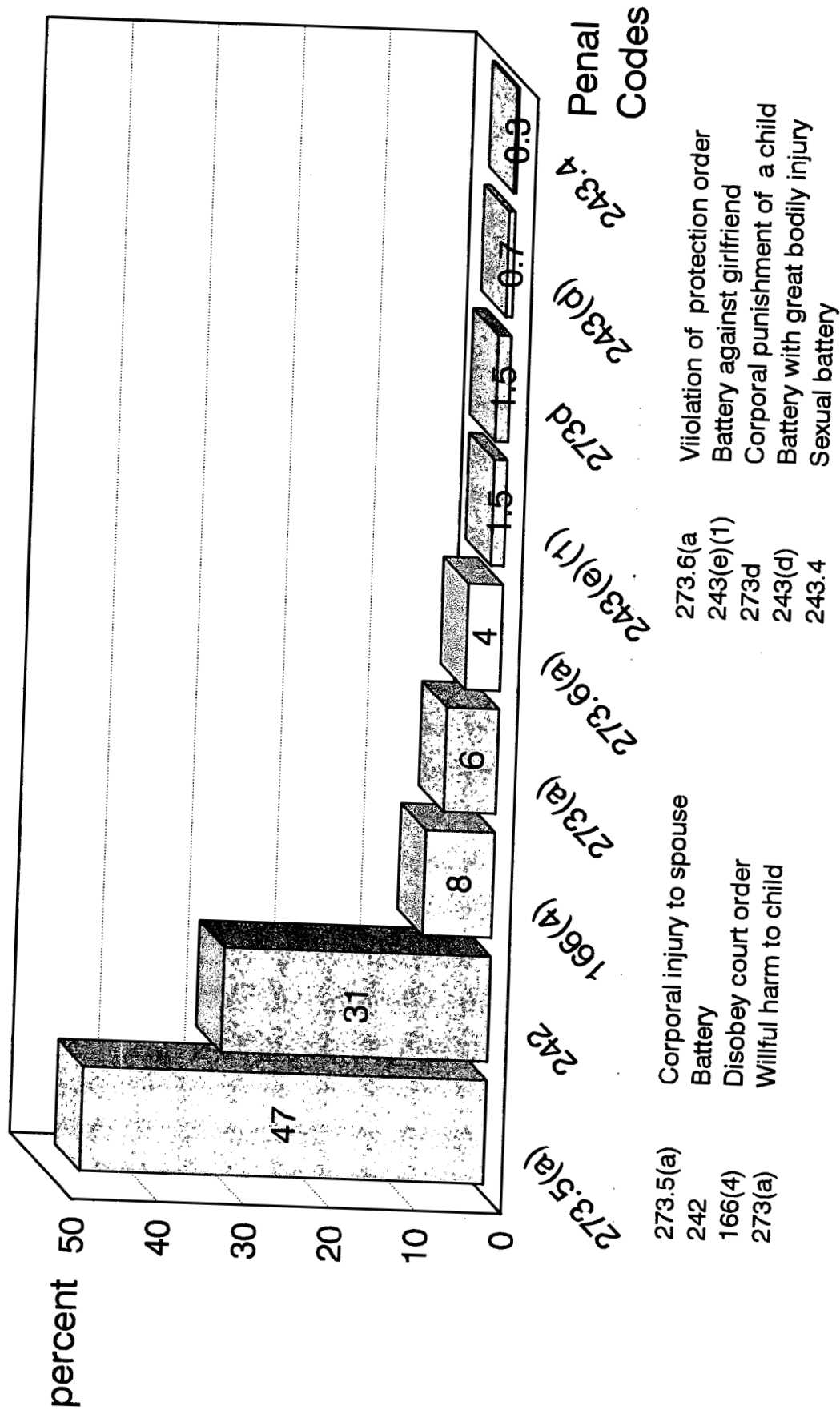


Figure 7

males/females: proportion of males and females

number of days to disposition: refers to the mean/median number of days from date of filing to date of final disposition

suspended jail sentence: refers to the mean/median number of jail days which are suspended if the defendant follows all terms of probation.

jail sentence imposed: mean/median number of days a defendant is sentenced to jail

number of appearances for progress reports: mean/median number of mandatory appearances before the judge for progress reports

number of different judges hearing the case: refers to the number of different judges the defendant encountered in his court appearances

bail set: mean/median dollar amount of bail set at arraignment

new arrest/filing after conviction, domestic violence: refers to the number of new arrests and filings within one year after conviction or diversion for a domestic violence charge (percent of cases with 1, 2-3 and 4 or more new arrests/filings)

probation/diversion granted: percent of convictions with summary or formal probation, and percent of cases granted diversion

domestic violence counseling ordered as a term of probation or diversion: refers to the percent of cases where probation or diversion was granted and defendant was ordered to attend domestic violence counseling

drug/alcohol counseling ordered as a term of probation: refers to percent of cases where drug/alcohol counseling was ordered as a term of probation or diversion

proof of enrollment in domestic violence counseling: refers to the percent of cases which were ordered to domestic violence counseling and returned to court to show proof of enrollment (does not include persons placed on formal probation)

proof of completion of domestic violence counseling: refers to the percent of defendants ordered to domestic violence counseling and have provided proof of completion of the program

probation revoked/violation, additional jail imposed: percent of cases where defendant's probation was revoked or probation was violated and an additional jail sentence was imposed

conditional O.R. release: percent of cases where the defendant was granted a conditional release on his own recognizance at arraignment

fine imposed: percent of cases in which a fine was imposed

case dismissed in the interest of justice/diversion completed: percent of cases in which the case was dismissed in the interest of justice or in appropriate cases, the case was dismissed upon completion of diversion

The variables were analyzed to demonstrate any significant differences or trends among cases processed before and after creation of the domestic violence program. While anticipating slight to modest variations, the results suggested much broader differences. The findings appear to substantiate that the domestic violence courtroom goals and objectives have been realized.

4. FINDINGS

A. WILLFUL DISOBEDIENCE OF A COURT ORDER

Table 1 examines Penal Code 166(a)(4), willful disobedience of a court order. The most important finding is the significant reduction of case-processing time for cases assigned to the domestic violence courtroom. The median number of days to disposition was reduced from 120 days to only 8 days. Although slightly more jail time was actually imposed in the "before" sample, notably longer suspended jail sentences were ordered in the "after" sample. The dollar amount of bail set did not vary significantly, only slightly higher in the "after" sample.

Minimal differences were found in the percent of probation violations and defendants released on their own recognizance. Higher fines were imposed on cases processed prior to the domestic violence courtroom.

Thirty-three percent of the "before" sample cases were dismissed in the interest of justice as compared to none of the "after" sample cases. This may be the result of plea bargaining, a common practice in many courts.

In both samples, every conviction resulted in a grant of probation, with seventeen percent being formal probation in the "after" sample. In neither sample did any of the cases receive domestic violence counseling as a term of probation.

New arrests for domestic violence within one year of conviction were slightly higher in the "after" sample. The sample size was larger for the "after" sample due to the dismissal of thirty-three percent of the "before" sample, which may explain the slight increase in subsequent arrests.

table 1**PENAL CODE 166 (a)(4): Willful disobedience of a court order**

variables	case processing before domestic violence courtroom	case processing after domestic violence courtroom
males/females	100% males no females	100% males no females
number of days to disposition	mean - 148 days median - 120 days	mean - 16 days median - 8 days
suspended jail sentence	mean - 26 days median - 22 days	mean - 75 days median - 45 days
jail sentence imposed	mean - 16 days median - 8 days	mean - 26 days median - 0 days
number of appearances for progress reports	mean - 0 median - 0	mean - 0 median - 0
number of different judges hearing case	mean - 2 median - 2	mean - 1.50 median - 1
bail set	mean - \$12,600 median - \$14,000	mean - \$16,500 median - \$16,500
new arrest/filing after conviction, domestic violence	none	1 2-3 4+ 0% 16% 0%
probation granted	100% summary	17% formal 83% summary
domestic violence counseling ordered as term of probation	none	none
drug/alcohol counseling ordered as term of probation	none	none
proof of enrollment in domestic violence counseling	none	none
proof of completion of domestic violence counseling	none	none
probation revoked/violation additional jail imposed	33%	20%
conditional O.R. release	50%	33%
fine imposed	66%	17%
case dismissed in the interest of justice	33%	none

B. INTENTIONAL AND KNOWING VIOLATION OF A PROTECTIVE ORDER

Table 2 examines Penal Code Section 273.6(a), intentional and knowing violation of a protective order. The sample size was extremely small. Conclusions derived from the comparison would be erroneous. The "before" sample was not useful because every case resulted in an outstanding bench warrant without a disposition. The "after" sample variables were tabulated merely for illustration, and the table was included in the findings for reference only, as the results are inconclusive.

C. WILLFUL AND UNLAWFUL USE OF VIOLENCE

Table 3 examines Penal Code 242, willful and unlawful use of force upon another person, also known as battery. At the commencement of the domestic violence courtroom, diversion was an alternative form of disposition for this charge. Final case disposition is sometimes extended up to a year while the defendant attends domestic violence counseling. Diversion was included in the calculation and correlations of the samples.

Female defendants represent only four percent of the "before" sample which is consistent with national averages. No females were found in the "after" sample. Again, there is an overwhelming decrease in case-processing time in the "after" sample. The median was reduced from 230 days in the "before" sample to just 47 days (**Appendix C1**). In spite of the tendency for diversion to prolong case dispositions, a wide gap ensued. The slight increase in cases granted diversion in the "before" sample would not explain the vast difference in case processing time.

The amount of jail time suspended was somewhat higher in the "after" sample, stressing

table 2**PENAL CODE 273.6(a): Intentional and knowing violation of a protective order**

variables	case processing before domestic violence courtroom	case processing after domestic violence courtroom
males/females	100% males no females	100% males no females
number of days to disposition	none	mean - 7.25 days median - 6 days
suspended jail sentence	none	mean - 90 days median - 0 days
jail sentence imposed	none	mean - 22.5 days median - 0 days
number of appearances for progress reports	none	mean - 1 median - 1
number of different judges hearing case	none	mean - 2 median - 2
bail set	none	mean - \$13,000 median - \$13,000
new arrest/filing after conviction, domestic violence	none	none
probation granted	none	100% summary
domestic violence counseling ordered as term of probation	none	25% counseling
drug/alcohol counseling ordered as term of probation	none	none
proof of enrollment in domestic violence counseling	none	100% enrolled
proof of completion of domestic violence counseling	none	none
probation revoked/violation additional jail imposed	none	none
conditional O.R. release	50% released o.r.	50% released o.r.
fine imposed	none	25% fine
case dismissed in the interest of justice	none	none
outstanding b/w without disposition	100% bench warrant	none

table 3

PENAL CODE 242: Willful and unlawful use of force upon another person

variables	case processing before domestic violence courtroom	case processing after domestic violence courtroom
males/females	96% males 4% females	100% males no females
number of days to disposition	mean - 217 days median - 230 days	mean - 152 days median - 47 days
suspended jail sentence	mean - 169 days median - 120 days	mean - 222 days median - 180 days
jail sentence imposed	mean - 62 days median - 27 days	mean - 41 days median - 30 days
number of appearances for progress reports	mean - 2.25 median - 2	mean - 4 median - 4
number of different judges hearing case	mean - 2.9 median - 3	mean - 2 median - 2
bail set	mean - 9,400 median - 10,000	mean - \$15,000 median - \$13,000
new arrest/filing after conviction, domestic violence	1 2-3 4+ 10% 10% 0%	1 2-3 4+ 5% 5% 0%
probation/diversion granted	28% formal 24% summary 43% diversion	19% formal 43% summary 38% diversion
domestic violence counseling ordered as term of probation	45% probation 100% diversion	100% probation 100% diversion
drug/alcohol counseling ordered as term of probation	9% probation 22% diversion	38% probation 0% diversion
proof of enrollment in domestic violence counseling	40% probation 0% diversion	77% probation 100% diversion
proof of completion of domestic violence counseling	40% probation 44% diversion	46% probation 88% diversion
probation revoked/violation additional jail imposed	27% probation	31% probation
conditional O.R. release	52% probation/diversion	63% probation/diversion
fine imposed	36% probation	none
case dismissed in the interest of justice/diversion completed	8% interest of justice 44% diversion completed	12% interest of justice 88% diversion completed

the completion of the terms of diversion or probation. The median jail sentences imposed were very close between the two samples. The mandatory appearances for progress reports were doubled in the "after" sample, indicating the court's desire to closely supervise the defendant's progress in treatment programs. The median number of judges hearing a case is slightly lower in the "after" sample which affects consistency in case processing. The amount of bail set at arraignment was somewhat higher in the "after" sample indicating the judge's interest in the victim's safety.

New arrests and filings were higher in the "before" sample for one arrest within one year of conviction or diversion and for two-three arrests. Neither sample had four or more arrests within one year of conviction or diversion (**Appendix C2**).

In the "after" sample, one hundred percent of the cases received either probation or diversion. Seventeen percent of the "before" sample were sentenced to straight jail time without probation or counseling (**Appendix C3**). A significant difference was realized in the percent of cases that were granted probation without an order for domestic violence counseling. Only forty-five percent of defendants on probation in the "before" sample were ordered to attend domestic violence counseling while one-hundred percent were ordered to counseling in the "after" sample (**Appendix C4**). The findings clearly demonstrate consistency and uniformity in sentencing in the "after" sample.

A greater percentage of defendants who were ordered to counseling as a term of probation in the "after" sample provided proof of enrollment to the court by a margin of thirty-seven percent. One hundred percent of defendants placed on diversion provided proof of enrollment when diverted from the domestic violence courtroom. Prior to the project, persons granted

diversion reported directly to a Probation Officer, hence, the court records do not reflect proof of enrollment in those cases.

Proof of completion of domestic violence counseling was also significantly higher in the "after" sample. Forty-six percent of probationers and eighty-eight percent of defendants on diversion completed their domestic violence counseling in the "after" sample while forty-percent of probationers and forty-four percent of defendants on diversion completed counseling in the "before" sample (**Appendix C5**). Fines were imposed on "before" samples in thirty-six percent of the cases while fines were imposed in none of the "after" samples. Only slight differences surfaced in probation violations, drug and alcohol counseling, conditional releases, and cases dismissed in the interest of justice.

In the area of domestic violence counseling, defendants were significantly more likely to enroll and complete their counseling after appearing in the domestic violence courtroom. This finding signifies success of the domestic violence courtroom in providing meaningful treatment to defendants who batter their "loved" ones.

D. CORPORAL INJURY TO A SPOUSE OR COHABITANT

Table 4 examines Penal Code 273.5, corporal injury to a spouse or cohabitant. Females represent four percent and twelve percent in the "before" and "after" samples respectively. Twelve percent is slightly higher than the national average of five percent. There is an overwhelming decrease in case-processing time in the "after" sample, comparable to the prior code sections analyzed. The median number of days was reduced from 82 in the "before" sample to only 3 days in the cases examined after the project commenced (**Appendix D1**).

table 4

PENAL CODE 273.5(a): Corporal injury to a spouse or cohabitant

variables	case processing before domestic violence courtroom	case processing after domestic violence courtroom
males/females	96% males 4% females	88% males 12% females
number of days to disposition	mean - 143 days median - 82 days	mean - 26 days median - 3 days
suspended jail sentence	mean - 134 days median - 0 days	mean - 177 days median - 120 days
jail sentence imposed	mean - 71 days median - 15 days	mean - 73 days median - 30 days
number of appearances for progress reports	mean - 1.0 median - 1.0	mean - 4.0 median - 4.0
number of different judges hearing case	mean - 2.32 median - 2.0	mean - 2.04 median - 2.0
bail set	mean - \$11,600 median - 13,000	mean - \$29,000 median - \$13,000
new arrest/filing after conviction, domestic violence	1 2-3 4+ 21% 16% 5%	1 2-3 4+ 4% 4% 0%
probation granted/denied	56% formal 44% summary 5% probation denied	0% formal 100% summary 9% probation denied
domestic violence counseling ordered as term of probation	50% dv counseling	95% dv counseling
drug/alcohol counseling ordered as term of probation	none	19% d/a counseling
proof of enrollment in domestic violence counseling	none	85% enrolled
proof of completion of domestic violence counseling	11% completion	30% completion
probation revoked/violation additional jail imposed	33% additional jail	33% additional jail
conditional O.R. release	47% released o.r.	7% released o.r.
fine imposed	28% fine	none
case dismissed in the interest of justice	13% dismissed	4% dismissed

The amount of jail time suspended was significantly higher in the "after" sample. The median of zero days representing the "before" sample indicates that suspended jail sentences were an uncommon practice. The median of 120 days in the "after" sample reflects the court's intention to impose a substantial jail sentence in the event of a probation violation or non-compliance with the terms of probation. Actual jail sentences imposed were repeatedly longer in the "after" sample also. The median sentence was 100 percent longer.

Notably more frequent appearances for progress reports surfaced in the "after" sample, four appearances compared to only one "before". This finding further indicates the court's diligence in carefully monitoring the defendant's progress in treatment and sustaining the victim's safety. The number of judges hearing a case was comparable as was the median amount of bail set at arraignment. The mean for bail in the "after" sample (\$29,000) suggests that some cases required a significant amount of bail to secure the victim's safety.

New arrests and filings were noticeably higher in the "before" sample. For one arrest within one year of arrest, the study revealed twenty-one percent compared to only four percent in the "after" sample. For two to three arrests, there were sixteen percent new filings in the "before" sample as compared to four percent. Only the "before" sample offered evidence of four or more arrests within one year of conviction (**Appendix D2**).

The percent of cases granted probation differed greatly between formal and summary probation. Of those cases granted probation in the "before" sample, fifty-six percent were formal probation with forty-four percent summary probation. In the "after" sample, one hundred percent of defendants on probation were granted summary probation.

Defendants sentenced to probation and jail totaled seventy-four and eighty-two percent of

the "before" and "after" samples, respectively (**Appendix D3**). Twenty-one percent of the defendants in the "before" sample received probation without jail and five percent a jail sentence only. The "after" sample revealed nine percent of the defendants were sentenced to probation without jail and nine percent received a jail sentence only. The modest number of cases without an imposition of jail in the "after" sample were cases heard by a "visiting judge" unfamiliar with the established domestic violence sentencing guidelines.

In the "after" sample, ninety-five percent of the cases granted probation were ordered to attend domestic violence counseling as compared to fifty percent in the "before" sample. The five percent not ordered to counseling again reflect sentences ordered by the "visiting judge" (**Appendix D4**). The analysis indicates the court's current emphasis on counseling as a rehabilitative priority. The findings also clearly signify consistency in sentencing.

An overwhelmingly higher percentage of defendants provided proof of enrollment in domestic violence counseling in the "after" sample (85 percent). It could not be ascertained by examination of the court file if proof of enrollment was shown to the probation officer in the "before" sample. The court was notified by the Probation Department in instances when domestic counseling was completed. Of those defendants ordered to counseling, eleven percent of the "before" sample furnished proof of completion to the court or the Probation Department. Analysis of the "after" sample revealed thirty percent completion of the domestic violence counseling at this time (**Appendix D5**). The counseling ordered constitutes a one year program. Consequently an insufficient period of time has transpired to allow the defendants adequate time to complete the program. It is anticipated that the completion rate will be higher if analyzed again at a later time. Even during the infancy of the project, the results are promising.

Fines were imposed more often in the "before" sample while probation violations were identical at thirty-three percent. The "before" sample reflects a dismissal rate of thirteen percent against a four percent dismissal rate in the "after" sample.

A substantial percentage of defendants were released on their own recognizance at arraignment in the "before" sample. The study disclosed forty-seven percent versus only seven percent in the "after" sample. Findings revealed a reluctance to release defendants at arraignment without bail, thus providing a sufficient "cooling off" period and greater safety for the victims.

Another factor studied was the number of original charges of domestic violence that were reduced to a lesser charge as a result of plea bargaining. The findings reveal that plea bargaining was exercised more frequently prior to the domestic violence courtroom (**Figure 8**). As many as seventeen percent of violations of Penal Code 242 were reduced to "disturbing the peace" (Penal Code 415). Plea bargaining may have encouraged dispositions, but the defendant was not held accountable for his actions.

Case processing and sentences were substantially more consistent in the "after" sample examined. Domestic violence counseling and a jail sentence were invariably ordered as a term of probation. The importance of domestic violence counseling is strengthened by the repeated mandatory court appearances for progress reports.

CITRUS MUNICIPAL COURT

Charges Reduced Pursuant to Plea Bargain

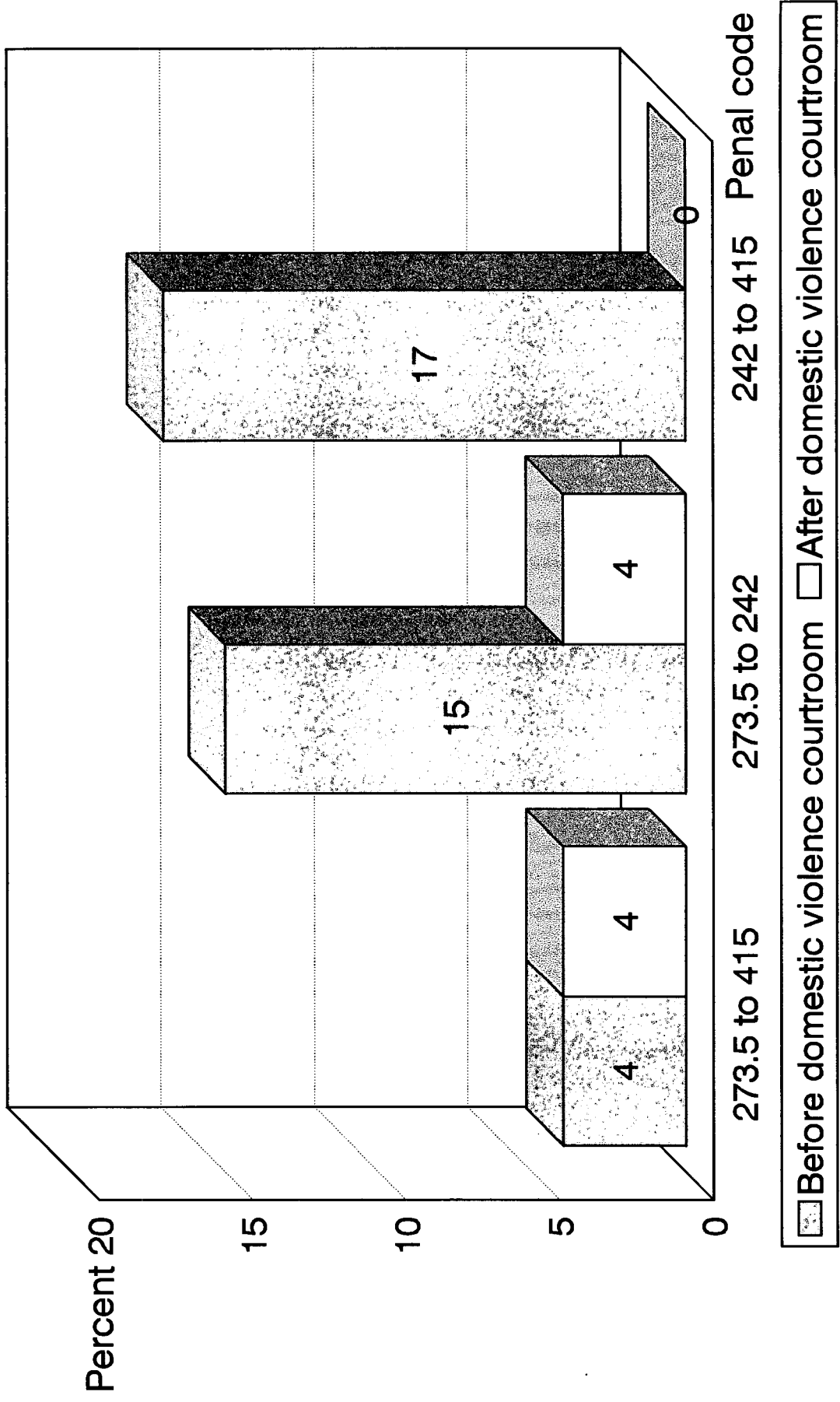


Figure 8

5. CONCLUSIONS

A. SUMMARY OF FINDINGS

The findings clearly demonstrate that the objectives and goals of the Domestic Violence Courtroom Pilot Project are being accomplished. Consistency in sentencing has been achieved through sentencing guidelines and adherence to those tenets. An appropriate jail sentence, domestic violence counseling, regimented supervision and regular mandatory court appearances for progress reports are routinely ordered. Uniformity in case processing has also been accomplished regarding relevant bail settings, infrequent plea bargaining, fewer conditional releases and swift, serious consequences for probation violations.

The case processing time was drastically reduced with the implementation of the domestic violence courtroom. The goal of early intervention has been solidly met. With fewer pretrials on calendar, the court has even more time to devote for motivating and encouraging the defendants at their appearances for progress reports.

Experts agree on the behavioral dynamics of domestic violence, i.e., that men are not born violent but many influences in society reinforce the notion that men should dominate. It appears that domestic violence is embedded in a significant pattern that must be broken to assure the safety of victims, children and the surrounding community. Domestic violence counseling addresses the nature of domestic violence and holds the defendant accountable. The goal of these batterers' programs is to stop the violence through a long process of education, attitude adjustments, and a commitment to change.

The focus of the Citrus Domestic Violence Courtroom Pilot Project is on rehabilitation

through counseling. The counseling programs are strictly supervised by the Los Angeles County Probation Department to assure the standards are being followed and the defendants are receiving the education they require. The project appears to be successful given the number of persons enrolling in the counseling programs as ordered and continuing with the weekly classes. The completion rate of counseling is promising, even at this early stage of the project.

Direct involvement by the judge is perhaps the single most effective aspect of the project. The defendants come to realize that the judge takes an active, participatory interest in the case. Through personal observation in the courtroom, the defendants sincerely praise the counseling program and profess how it has changed their lives. A positive rapport between the judge and defendant is apparent. An aura of respect, trust, high expectations, concern, compassion, and commitment was observed. The court's objective regarding accountability, with the defendant taking responsibility for their own success, has induced a sense of pride and accomplishment for the defendant and the court.

Prevention of future incidents is another goal which appears to have been realized. There seems to be a trend toward fewer new arrests and filings for subsequent domestic violence incidents for defendants treated in the domestic violence courtroom. Prior research indicates that domestic violence perpetrates a violent cycle of behavior from generation to generation. Even the slightest improvement in this area will enhance the fate of our children.

The results of this study parallel those of other specialized courts. The reduction in case processing time, sentencing guidelines utilized, effectiveness of counseling, and tendency toward fewer arrests coincide with the general experience of specialized courts. Findings of this study also reflect those of other researchers regarding the value of batterers' treatment programs for

rehabilitation of the defendant.

Implications for future study would include an extended period of research. The long term affects of batterers' treatment programs could not effectively be discerned now due to the infancy of the Citrus project. In order to attain the highest degree of certainty, the study should encompass several years of investigation.

B. RECOGNITION OF THE PROJECT

Citrus Municipal Court was honored for the Domestic Violence Courtroom Pilot Project by California's Judicial Council in 1994 with the Ralph N. Kleps Award, named after the first Administrative Director of the California courts. This award recognizes courts that have improved the administration of justice with innovative activities and exemplary projects.

The Grand Jury recommended that the Board of Supervisors in the Los Angeles County Grand Jury Final Report 1994-1995 urge the State to adopt legislation requiring the Judicial Districts to set up dedicated domestic violence courts similar to the Citrus Judicial District model. The Grand Jury reported "The Citrus Judicial District Court model is uniquely successful in that personnel assigned to the court give increased attention to domestic violence cases, the court monitors compliance with court orders and the progress of offenders sentenced to batterers programs, and the Judge, District Attorney, and Public Defender work cooperatively to resolve cases fairly and efficiently. Compliance with court orders is higher in the Citrus Judicial District than in other Districts."

C. REPLICATING THE PROJECT

The success of the Citrus Domestic Violence Courtroom Pilot Project can be duplicated with relative ease. Commitment of the primary judicial officer is the major ingredient to a successful project. The judicial officer is also influential if his/her demeanor is professional, respectful, firm, and serious, yet concerned, encouraging and sincere. It is advisable to garner the support of colleagues and courtroom staff, plus representatives of the prosecuting attorney, public defender, probation department, victim's advocates, and local approved batterers' treatment programs. A philosophy of teamwork and shared goals will determine the effectiveness of the project. Minor start-up and operating costs may be expected, but the project is not cost prohibitive. The Citrus project only required the purchase of a small photocopy machine for the courtroom.

Domestic violence is a growing societal ill and the dreadful cycle of violence that it causes must be stopped. It is the hope that innovations in the administration of justice such as the Citrus Domestic Violence Courtroom Pilot Project will make a difference in the safety of our community in years to come.

APPENDIX A

DOMESTIC VIOLENCE PROGRAM FORMS

Citrus Municipal Court Sentencing

Case No. _____ People Vs. _____
 Judge _____ Clerk _____
 Division _____ Dist. Atty. _____
 Reporter _____ Interpreter _____
 Date _____ Defense Atty. _____

IMPOSITION OF SENTENCE SUSPENDED:

Defendant placed on: ☐ Formal
3 Years ☐ Summary Probation

1. ☐ Cooperate in a plan for domestic violence counseling ☐ to include drug and alcohol counseling. Defendant ordered to return for proof of enrollment _____ in Div. 10.
2. ☐ Submit to drug/alcohol testing. Proof of enrollment due _____
3. ☐ Pay a fine of _____ due _____
☐ at the rate of _____ per month begin _____
 + \$35.00 administrative fee.
 or
☐ Contribute _____ hours of charitable time.
 Proof due _____. ☐ As directed by probation officer.
 All money paid to counseling may be deducted from fine.
4. ☐ Serve _____ jail suspended. _____ remand
☐ Serve _____ jail begin _____ ☐
☐ or weekends begin _____
☐ Serve _____ work furlough weekend custody program proof of completion due _____
5. ☐ Serve _____ Cal trans.
 Proof due _____. ☐ forthwith
6. ☐ Restitution. Report to Probation Department ☐ within 2 court days of release
7. ☐ Not own or possess any dangerous weapons.
8. ☐ Not use force or violence, or threaten victim.
9. ☐ \$100. - Victim restitution fund due _____
10. ☐ \$200. - Domestic Violence fund per P.C. 1203.097 due _____
11. ☐ Commit no similar offenses.
12. ☐ Obey all laws orders of the court and rules and regulations of the probation department.
13. ☐ Revert to summary probation upon compliance with terms # _____
14. ☐ _____

DEFENDANT

CASE NUMBER

DATE

MUNICIPAL COURT
CITRUS JUDICIAL DISTRICT
1427 WEST COVINA PARKWAY
WEST COVINA, CA 91790

JUDGE DAN THOMAS OKI
DIVISION 10

1. YOU ARE ORDERED TO ENROLL IN A DOMESTIC VIOLENCE BATTERERS' TREATMENT PROGRAM, THROUGH ONE OF THE APPROVED PROVIDERS ON THE ATTACHED LIST, WITHIN THIRTEEN (13) DAYS OF TODAY, OR YOUR RELEASE FROM CUSTODY IF HELD BEYOND TODAY.

2. YOU ARE ORDERED TO RETURN TO DIVISION 10 OF THIS COURT ON _____ AT 8:30 A.M., AND TO BRING WITH YOU A LETTER OF ENROLLMENT FROM THE PROGRAM YOU HAVE CHOSEN.

3. AS A CONDITION OF YOUR RELEASE AND/OR GRANT OF PROBATION, YOU ARE ORDERED NOT TO HARASS, MOLEST, ANNOY, STRIKE, THREATEN, OR USE ANY FORCE OR VIOLENCE WHATSOEVER UPON THE VICTIM(S) IN YOUR CASE.

YOUR WILFUL FAILURE TO COMPLY WITH ANY OF THE ABOVE ORDERS WILL RESULT IN YOUR IMMEDIATE INCARCERATION.



Los Angeles County Probation Department APPROVED BATTERERS' PROGRAMS

January
1996

BELL

Aztlan Family Clinic, Inc.; 5101 East Florence #3;
(213) 560-9992; Spanish/English, Portuguese, Tagalog.
Also, women's group.

BEVERLY HILLS

Los Angeles Counseling Center;
204 S. Beverly Dr. Suite 116; (310) 271-3784;
Spanish/English.

BURBANK

Family Service Agency of Burbank;
2013 West Magnolia Blvd;
(818) 845-7671; Spanish/English.
Victory Foundation, Inc.;
134 South San Fernando Blvd.; (818) 842-9446;
Spanish/English.

CANOGA PARK

Counseling West; 6700 Fallbrook Ave. Suite 207;
(818) 999-6164; Wheelchair access.
Nueva Esperanza; 7024 Deering Ave.; (818) 898-0223;
Spanish/English.
Valley Center for the Prevention of Family Violence;
20944 Sherman Way, Suite 110;
(800) 290-2079, (818) 883-2132; Spanish/English.

CERRITOS

American Family Alliance; College Hospital - Call for app'l.
10802 College Place; (800) 348-9297; Spanish/
English, Wheelchair access. Also, women's group.

CITY OF INDUSTRY

Twin Palms Recovery Center
16054 Amar Road; (818) 968-8875;
Spanish/English, Wheelchair access.

COVINA

Citrus Counseling Domestic Violence Program
4950 Grand Ave.; (818) 967-7585;
Wheelchair access.
Anita Family Service; 527 East Rowland Ave.
Suite "E" & "F"; (818) 966-1755; Spanish/English.

CULVER CITY

Armonia Familiar Latina - Family Harmony;
4244 Overland Ave.; (310) 837-1914;
Spanish/English.

DIAMOND BAR

Generation Foundation;
3333 Bera Canyon Rd. Suite 124; (909) 594-9432;
Wheelchair access.

EL MONTE

Acacia Counseling;
11401 East Valley Blvd. #107; (818) 335-6114;
Spanish, English, Pacific Rim. Also, women's group.
Latino Domestic Violence Program - Casa Blanca;
12042 Ramona Blvd.; (818) 444-6204;
Spanish/English.

Pathways - Family Domestic Violence Services;
3800 Penn Mar Ave.; (818) 350-4029;
Spanish/English, Wheelchair. Also, woman's group.

Project Info. Community Services, Inc.;
11046 East Valley Mall; (818) 442-4788; Spanish/
English, Wheelchair access. Also, women's group.

Twin Palms Recovery Center
3574 Lexington Ave.; (818) 443-4008; Spanish/English.

ENCINO

Alternatives, LTD; 16550 Ventura Blvd. #202-204;
(818) 986-9964 or (818) 990-1379;
Wheelchair access. Also, women's group.

GARDENA

Behavioral Health Services; 15519 Crenshaw Blvd.
(310) 679-9031; Wheelchair access.
The Counseling Center; 16010 Crenshaw Blvd.,
Suite "N"; (310) 324-0444; Spanish/English.

GLENDALE

Diversion - The First Stop;
1 San Fernando Rd. Room 203; (818) 988-2597;
Spanish, English, Armenian, Farsi.
Glendale Counseling Center;
1545 N. Verdugo Road #223; (818) 547-2865; Spanish,
English, Armenian, Farsi. Also, women's group.

Glendale Family Service Association;
3436 North Verdugo Road; (818) 248-2286; Spanish,
English, Armenian, Wheelchair access.

Glendale Humanistic Psychological Center;
242 North Glendale Ave.; (818) 242-6424; Spanish,
English, Armenian, Farsi, Russian, Lebanese, Assyrian.

New Horizons Psychological Center;
815 South Glendale Ave.; (818) 545-9848;
Spanish/English. Also, women's group.

New Insights Program; 431 N. Brand Blvd.;
(818) 242-2308.

Time Out: A Batterers' Treatment Program;
1560 East Chevy Chase, Suite 320; (818) 409-9723.

GLEN DORA

Acacia Counseling;
169 N. Glendora Ave. Suite "F"; (818) 335-6114;
Spanish, English, Pacific Rim. Also, women's group.
Community Education Resource Center;
1149 S. Grand Ave.; (818) 335-0411;
Spanish/English, Wheelchair access.

HIGHLAND PARK

Latino Domestic Violence; 109 N. Avenue 56;
(213) 254-3769; Spanish/English.

HOLLYWOOD

Armonia Familiar Latina - Family Harmony;
4681 Hollywood Blvd.; (213) 873-3113;
Spanish/English.

Assistance League of Southern California - Family
Service Agency; 1360 North St. Andrews Place;
(213) 469-5893; Spanish/English, Armenian.

Los Angeles Counseling Center;
5265 Fountain Ave. Suite 2; (213) 913-3371;
Spanish/English.

HUNTINGTON PARK

Centro de Desarrollo Familiar;
6829 Rita Ave. Suite 17; (213) 589-1902;
Spanish/English. Also, women's group in Spanish only.

INGLEWOOD

Anderson and Anderson;
3120 West 108th Street; (310) 208-5069;
Spanish, English, French, Polish, Armenian.

Inglewood (Your Area) Batterers' Treatment Program;
400 South La Brea Ave. #202; (310) 674-6215;
Spanish/English. Also, women's group.

LAKEWOOD

Family Service of Long Beach;
21420 Pioneer Blvd.; (310) 436-9893; Spanish/English/
Wheelchair access. Also, woman's group.

LANCASTER

Cedarwood Counseling Group;
44809 North Fern Ave.; (805) 945-7608; Spanish/
English, Wheelchair access. Also, woman's group.

The High Road Program, Inc.; 706 West Ave. "J"; (805) 942-2241; Wheelchair access.

Tarzana Treatment Center;
44447 North 10th Street West; (805) 726-2630;
Also, women's group.

LAWNDALE

Anderson and Anderson;
15900 Hawthorne Blvd. Suite "E"; (310) 208-5069;
Spanish, English, French, Polish, Armenian.

LOMITA

HPI Counseling Center; 24317 Pennsylvania Ave.
Suite 201; (310) 530-5654.

LONG BEACH

Alternatives to Violence - Call for appointment;
P.O. Box 7156; (310) 493-1161.

Also, woman's group. Gay/Lesbian sensitive.
American Family Alliance, (Charter Behav. Health Systems)
3320 Los Coyotes Diagonal, Ste. 207; (800) 348-9297;
Spanish/English, Wheelchair. Also, women's group.

The Counseling Center; 1409 East 4th Street, Suite "F";
(310) 324-0444; Spanish/English.

La Clinica Para Su Ayuda;

3605 Long Beach Blvd. Suite 400; (310) 424-7701 or
(800) 782-9832; Spanish/English.

Fred Kennedy Associates, Inc.;

3580 E. Pacific Coast Hwy. Suite 4; (310) 986-5046;
Spanish/English.

Options Counseling;

3703 Long Beach Blvd. #E-12; (310) 989-0809.

Saddle Group Counseling; 2777 Pacific Ave., Suite "I";
(310) 427-2323. Also, women's group.

Tarzana Treatment Center; 2101 Magnolia Ave.;
(310) 218-1868; Spanish/English.

LOS ANGELES

About Face: Domestic Violence Intervention Project;
3400 West 6th Street, Suite 309; (213) 384-7084;
Spanish/English. Also, women's group.

Abuse Prevention Program (So. Calif. Counseling
Center); 5615 West Pico Blvd.; (213) 937-1344;
Gay/Lesbian, Wheelchair access.

Another Way; 12655 Washington Blvd. #101;
(310) 645-2665 or (310) 672-4360;

Wheelchair access. Also, women's group.

Armonia Familiar Latina - Family Harmony;
Figueroa St. & Olympic Blvd. (213) 873-3113;
Spanish/English.

Asian Pacific Counseling and Treatment Center;
3550 West 6th Street Suite 500;

(213) 252-1208; Japanese, English, Tagalog,
Vietnamese, Thai, Korean.

Behavioral Health Services;

3421 East Olympic Blvd.; (213) 262-1786;
Spanish/English, Wheelchair access.

Behavioral Health Services; 4099 N. Mission Rd.;
(213) 221-1746; Spanish/English.

California Diversion Intervention Foundation;
9233 West Pico Blvd.; (800) 842-9089;

Spanish/English.

Catholic Psychological Services;

1400 West 9th Street (213) 251-3569;
Spanish/English, Wheelchair Access.

Central Recovery and Development Project;

3313 W. Washington Blvd.; (213) 732-2098;
Spanish/English, Wheelchair access.

CGI - Counseling Center; 1100 Glendon Ave. 11th Fl.,
Suite 1119; (310) 209-0904 or (310) 208-4240; Spanish,
English, Hebrew, Vietnamese, German, French, Farsi, Russian,
Czech, Slovak, Yiddish. Wheelchair. Also, woman's group.

Chinatown Service Center; 600 North Broadway
Suite "A"; (213) 680-9955; Chinese only.

Coalition of Mental Health Professionals;
9130 S. Figueroa Street; (213) 777-3120;
Spanish/English.

El Centro Human Services;
1972 Cesar Chavez Ave.; (213) 265-9228;
Spanish/English, Wheelchair access.

Family Service of Los Angeles - Manchester Center;
1328 West Manchester Ave.; (213) 778-9593; Spanish/
English, Wheelchair access.

Family Service of Los Angeles - Metro Center;
626 S. Kingsley Drive;
(213) 381-3626/English; (213) 384-1164/Spanish,
Spanish, English, Korean, Wheelchair access.

Family Service of Los Angeles - West Los Angeles
Center; 3733 Motor Ave. Suite 202;
(310) 839-6735; Wheelchair access.

Abilio A. Hernandez M.D., Inc.;
4082 E. Whittier Blvd. Suite 104;
(213) 266-0496; Spanish/English.

King Drew Domestic Violence Batterers' Treatment;
9307 S. Central Ave.; (213) 564-6982;
Spanish/English, Wheelchair access.

Korean American Family Service Center;
610 S. Harvard Blvd. Suite 220/230; (213) 389-6755;
Korean.

Little Tokyo Service Center;
244 S. San Pedro St. Suite 411;
(213) 680-3729; Japanese language only.

Latino Domestic Violence Program- Beverly;
5838 East Beverly Blvd.; (213) 722-4529;
Spanish/English. Also, women's group.
National Council on Alcoholism & Drug Dependency;
8915 South Avalon Blvd.; (213) 565-2666;
Spanish/English.
National Council on Alcoholism & Drug Dependency;
3325 Wilshire Blvd. Suite 640; (213) 384-0403;
Spanish/English.
Sunrise Community Counseling Center, Inc.;
2801 W. Temple St. 2nd Floor; (213) 368-3550;
Spanish, English, Portuguese, Tagalog.
The Woman's Center of Los Angeles;
1512 Robertson Blvd.; (310) 246-0354;
Gay/Lesbian sensitive. Wheelchair. Also men's group.

WRAP Agency;
8616 La Tijera Blvd. Suite 200; (310) 337-1550;
English, Korean, Japanese, Asian Pacific Islands.

MONROVIA

Santa Anita Family Service; 605 South Myrtle Ave.;
(818) 359-9358; Spanish/English.

NEWHALL

Association to Aid Victims of Domestic Violence;
23630 San Fernando Rd. Unit "C" & "D";
(805) 259-8175; Spanish/English.

CPS Domestic Violence Program;
23504 Lyons Ave. #402; (818) 407-4104;
(800) 770-7387; Wheelchair access.

NORTH HILLS

Stephan J. Fleisher, Ph.D., Clinical Psychologist;
16031 Chase Street; (818) 993-9311 ext 229; Disabled.
Also, women's group.

NORTHRIDGE

Domestic Abuse Center; 8817 Reseda Blvd. Suite "C";
(818) 705-5030 or (818) 772-0176.

NORWALK

California Diversion Intervention Foundation;
13031 San Antonio Dr., Suite 214; (800) 842-9089;
Spanish/English.

PACOMA

Diversion - The First Stop;
11243 Glenoaks Blvd.; (818) 988-2597;
Spanish, English, Armenian, Farsi.
Valley Prevention and Treatment Center;
13711 Van Nuys Blvd. Suite 4; (818) 896-1433;
Spanish/English.

PANORAMA CITY

Abilio A. Hernandez M.D., Inc.;
9608 Van Nuys Blvd. Suite 101; (818) 830-0433;
Spanish/English.

PASADENA

ACT Family Treatment;
1005 E. Colorado Blvd., Suite 207;
(818) 793-9398; Gay/Heterosexual.
Center Against Abusive Behavior;
100 North Hill Ave. Suite 101; (818) 796-7358;
ASL Translator, Visual Impaired, Mildly Retarded,
Wheelchair access. Also, women's group.
Foothill Family Service; 118 South Oak Knoll Ave.;
(818) 795-6907; Spanish/English, Wheelchair access.
The High Road Program, Inc.;
700 South Arroyo Parkway; (818) 793-6159;
Wheelchair access.
I Am ... Foundation, Inc.;
686 South Arroyo Pkwy. Suite 284;
(310) 907-9013; Low income/indigent.

POMONA

Inland Valley Recovery Services - Domestic Violence;
435 West Mission Blvd. Suite 206; (909) 865-2255;
Spanish/English, Wheelchair access.
Pomona Community Crisis Center;
221 N. Palomares; (909) 623-1588; Spanish /English,
Wheelchair access. Also, women's group.

SAN FERNANDO

North Valley Family Counseling Center;
670 San Fernando Mission Blvd. Suite "D";
(818) 365-8588; Spanish/English.
Nueva Esperanza; 568 S. Brand;
(818) 347-8565; Spanish/English.

FEDRO

Kennedy Associates, Inc.;
1931 N. Gaffey Street Suite "D";
(310) 833-3521; Spanish/English.
Toberman Settlement House; 131 North Grand Ave.
(310) 832-5604.

SANTA FE SPRINGS

LACADA; 11015 Bloomfield Ave.;
(310) 906-2676; Spanish/English.
Southeast Area Counseling Center;
10909 Orr and Day Road; (310) 868-9919;
Spanish/English, Wheelchair access.

SANTA MONICA

New Start / Santa Monica Bay Area Drug Abuse
Council; 2714 Pico Blvd. Suite 210;
(310) 452-0717.

T.E.A.M. - Contact Michael Levittan;
10350 Santa Monica Blvd. Suite 310;
Call for appointment (310) 556-2050.

SHERMAN OAKS

Domestic Violence Program of Thomas Allan Curits
M.D.; Garden Office Building; 15301 Ventura Blvd.,
Suite 424; (818) 760-1772

Family Relations Institute; 15250 Ventura Blvd.
Suite 600; (818) 515-0236; Spanish/English.

Forensic Psychology Associates;
15300 Ventura Blvd. Suite 503; (818) 986-1161;
Spanish/English, Wheelchair. Also, women's group.

L.I.F.E. Counseling Center;
4419 Van Nuys Blvd. Suite 202; (818) 771-8040;
Spanish/English. Also, women's group.

SYLMAR

CPS Domestic Violence Program;
11565 Loral Canyon Blvd., Suite 102; (800) 770-7387;
(818) 407-4104; Wheelchair. Also, women's group.

TARZANA

Family Service of Los Angeles - Tarzana Center;
5530 Corbin Suite 222; (818) 345-8413; Spanish,
English, Korean. Wheelchair. Also, women's group
Tarzana Treatment Center; 18646 Oxnard Street;
(818) 996-1051; Spanish/English.

TORRANCE

The Counseling Center; 2309 Torrance Blvd. #201;
(310) 324-0444; Spanish/English.
Also, women's group.

NCADD - South Bay;
1334 Post Avenue; (310) 328-1460.

VAN NUYS

Armonia Familiar Latina - Family Harmony;
6316 Van Nuys Blvd.; (818) 787-7903;
Spanish/English.

Diversion - The First Stop;
6514 Sylmar Ave. #1-D; (818) 988-2597;
Spanish, English, Armenian, Farsi.

Family Violence Project;
6851 Lennox Ave.; (818) 908-5007;
Wheelchair access. Also, women's group.

Five Star Counseling and Educational Services;
7061 Hayvenhurst Avenue, Suite 202;
(818) 779-0459; Spanish/English.

The High Road Program, Inc.;
14430 Sherman Way; (818) 785-9119;
Spanish/English, Wheelchair access.

Valley Center for the Prevention of Family Violence;
6308 Woodman Ave. Suite 107;
(800) 290-2079; (818) 786-2079; Spanish/English,
Wheelchair access. Also, women's group.

Valley Community Counseling Center;
14432 Gilmore St. Suite "A"; (818) 994-6692;
Spanish, English, Armenian, Farsi.

Van Nuys Family Counseling Center, Inc.;
14606 Victory Blvd. Suite 209; (818) 785-4935; Spanish,
English, Armenian, Farsi. Also, women's group.

WEST COVINA

Anderson and Anderson;
1323 W. Covina Parkway, Suite "D";
(310) 208-5069; Spanish, English, Korean,
Japanese, Asian Pacific Islands.

Baldwin Park Counseling Center;
703 S. Glendora Ave. Suite #7; (818) 917-2120;
Spanish/English.

Pomona Open Door;
1502 West Covina Parkway, Suite 207; (909) 622-8225.

Safety Education / Domestic Violence;
1400 West Covina Pkwy, 3rd Floor; (818) 960-3977;
Spanish/English, Wheelchair. Also, women's group.

WEST HILLS

Anima Mundis Counseling Center;
7635 Fallbrook Ave.; (818) 592-0402;
Spanish, English, Portuguese, Tagalog.

WEST LOS ANGELES

Anderson and Anderson; 12301 Wilshire Blvd.
Suite 403; (310) 208-5069; Spanish, English,
Korean, Japanese, Asian Pacific Islands.

Alternatives to Violence; Call for appointment;
(310) 493-1161; Gay/Lesbian sensitive.

West Area Opportunity Center;
12240 Venice Blvd., Suite 17; (310) 390-4818

WESTCHESTER

San Martin De Porres Counseling Center;
8816 La Tijera Blvd. Suite 405; (310) 641-1633;
Spanish, English, Ibo. Also, woman's group.

WHITTIER

San Martin De Porres Counseling Center;
10642 Santa Monica Blvd. Suite 100; (310) 641-1633;
Spanish, English, Ibo.

WHITTIER

Centro de Desarrollo Familiar; Washington-Whittier
Medical Building, 12448 Washington Blvd.;
(310) 907-7466; Spanish/English, Wheelchair access.

Family Service of Los Angeles - Whittier Center;
7702 Washington Ave. Suite "C"; (310) 698-7941;
Spanish/English, Wheelchair access.

Glenoaks Counseling Center;
6736 South Greenleaf Ave. Suite 7;
(310) 693-3292.

WILMINGTON

Behavioral Health Services;
531 North Marine Ave.; 310-549-2710;
Spanish/English, Wheelchair access.

The Counseling Center;
505 W. Pacific Coast Hwy. 2nd Floor "B";
(310) 324-0444; Spanish/English.

IN CUSTODY - WORK FURLOUGH INMATES ONLY

Scapular House;
101 West 89th St., Los Angeles;
(213) 565-4388; For incarcerated inmates only.
Maximum credit given: Twenty weeks unless otherwise
negotiated with the receiving agency.

January 16, 1996 list approved by:


Jim Wright, Sup. Deputy Probation Officer

*This list of approved batterers' programs may be
modified only by the Los Angeles County Probation
Department.*

DEFENDANT

CASE NUMBER

DATE

MUNICIPAL COURT
CITRUS JUDICIAL DISTRICT
1427 WEST COVINA PARKWAY
WEST COVINA, CA 91790

JUDGE DAN THOMAS OKI
DIVISION 10

REQUEST FOR PROGRESS REPORT

TO THE DEFENDANT:

1. YOU ARE ORDERED TO RETURN TO DIVISION 10 ON _____
_____ AT 8:30 A.M. FOR A PROGRESS REPORT. YOUR FAILURE TO
APPEAR WILL RESULT IN A WARRANT FOR YOUR ARREST. AN
UNSATISFACTORY PROGRESS REPORT MAY RESULT IN A VIOLATION OF
PROBATION AND YOUR IMMEDIATE INCARCERATION.

2. YOU ARE ORDERED TO GIVE THIS DOCUMENT TO YOUR DOMESTIC
VIOLENCE BATTERERS' TREATMENT PROGRAM AT YOUR NEXT PROGRAM
SESSION, AND TO INFORM THEM OF THE DATE OF YOUR NEXT PROGRESS
REPORT. THIS IS YOUR RESPONSIBILITY.

TO THE DOMESTIC VIOLENCE BATTERERS' TREATMENT PROGRAM:

1. THE ABOVE-NAMED DEFENDANT HAS PROVIDED THE COURT WITH
PROOF OF ENROLLMENT IN YOUR PROGRAM.

2. PLEASE MAIL A PROGRESS REPORT TO THE COURTROOM SHOWN
ABOVE ONE WEEK IN ADVANCE OF THE ABOVE PROGRESS REPORT DATE.

3. PLEASE NOTIFY THE COURT IMMEDIATELY UPON SUCCESSFUL
COMPLETION OF THE PROGRAM OR TERMINATION OF THE DEFENDANT FROM
THE PROGRAM.

PROGRESS REPORT - DOMESTIC VIOLENCE BATTERERS' PROGRAM

DATE: _____
(Today's Date)

NOTIFICATION OF: ☐ ENROLLMENT ☐ PROGRESS ☐ COMPLETION ☐ VIOLATION (Check One)
TO: ☐ COURT ☐ PROBATION *NOTE: A copy of this report must be sent to the District / City Attorney at the referring court.
(if referred by court) (if referred by probation)

COURT CASE NO: _____ X-# _____
(if any)

COURT: _____ DPO: _____
District/Division or Department (if any)

AREA OFFICE: _____
(mandatory for probation referrals)

FROM: _____
Agency Name Telephone (____) _____
Address

----- DEFENDANT INFORMATION (MANDATORY) -----

Name _____ Date of Birth _____

Address _____ Telephone (____) _____

STATUS:

(Check applicable boxes)

☐ INTAKE _____
☐ ON WAITING LIST* _____
☐ ENROLLED _____
☐ RE-ENROLLED _____
☐ DISMISSED _____
(UNSATISFACTORY DISCHARGE)
☐ COMPLETION PENDING _____
(SESSIONS COMPLETED, FEES OWED)
☐ COMPLETION _____
(SATISFACTORY COMPLETION, FEES PAID)
☐ OTHER _____
* REQUIRES "COMMENT" -- EXPECTED ENROLLMENT DATE

DATE:

(mandatory)

OF SESSIONS: (32 diversion / 52 probation)

_____ SESSIONS ATTENDED
_____ SESSIONS MISSED
_____ SESSIONS ORDERED

PROGRAM FEES:

COST PER SESSION _____
TOTAL PROGRAM COST _____
PAYMENTS CURRENT (Y / N) _____
BALANCE OWING _____
BALANCE PAST DUE _____

CONCURRENT ALCOHOL/DRUG TREATMENT ☐ Yes ☐ No

(If "yes," name of program: _____)

REPORT:

PARTICIPATION IS SATISFACTORY

____ NO FURTHER PARTICIPATION RECOMMENDED
____ CONTINUED PARTICIPATION RECOMMENDED

PARTICIPATION IS UNSATISFACTORY DUE TO:

____ LACK OF COOPERATION
____ POOR ATTENDANCE
____ OTHER (Be Specific)

COMMENTS/REASON : (Required for unsatisfactory or continued participation; see back)

I DECLARE THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE AND CORRECT BASED UPON THE REQUIREMENTS OF THIS PROGRAM AND CALIFORNIA STATE STANDARDS FOR BATTERERS' PROGRAMS.

Written Signature _____
(Authorized as an agency representative)

Print Name _____

Date _____
(Date signed)

Title _____

PROGRESS REPORT

INSTRUCTIONS TO BATTERERS' PROGRAM

Form to be typed or completed in ink.

Successful completion of a batterers' program is no guarantee that the violence will stop. Noting a defendant's "SATISFACTORY COMPLETION" is sufficient for those who have met or exceeded program criteria, since completion cannot be used to predict future behavior.

If defendant requires more than the mandated number of sessions, you must provide documented reasons for continued treatment. Use the "Comments" section of this form. (Attach additional pages, if needed.) The court may consider additional treatment based upon one or more of the following [1000.95 (e) Penal Code]:

The defendant did not:

- 1) understand and demonstrate positive conflict resolution skills.
- 2) cooperate and participate in the batterers' program (attendance, tardiness, homework, denial, minimizing, fees paid, group involvement).
- 3) understand that the use of coercion for dominance is unacceptable.
- 4) avoid blaming, degrading, or dehumanizing the victim.
- 5) avoid putting the victim's safety at risk (signs include stalking, molesting, attacking, threatening, sexually assaulting, battering).
- 6) avoid making threats to harm anyone.
- 7) comply with drug/alcohol counseling, if required.
- 8) remain violence-free for six months.

Call the referring agency if you have any questions concerning the form, including to whom it should be sent.

APPENDIX B

DATA COLLECTION FORMS

DATA COLLECTION FORM
BEFORE DOMESTIC VIOLENCE COURTROOM

DEFT. NAME _____ **CASE NO.** _____

OFFENSE CHARGED _____ **DISPOSITION** _____

Male **Female**

Bail set _____ **OR**

Case Processing Time: _____

Diverted: No Yes 1 year 2 years

Diversion Completed: No Yes

Probation: No Summary _____ Formal _____

Suspended Jail: No Yes _____

Jail: No Yes _____

Fine: No Yes

Domestic Violence Counseling: No Yes

Drug/Alcohol Counseling: No yes

Proof of Enrollment: No Yes

Progress Reports: 1 2 3 4 reports

Probation Revoked/Reinstated No Yes
Additional jail sentence:

Probation Revoked: No Yes
(not reinstated)

Counseling Completed No Yes

Number of Judicial 1 2 3 4 5 6 magistrates
Officers

Case Dismissed No Yes
(diversion completed)

Case Dismissed
(other) No Yes

Bench Warrant No Yes
Outstanding

DATA COLLECTION FORM
AFTER DOMESTIC VIOLENCE COURTROOM

DEFT. NAME _____ **CASE NO.** _____

OFFENSE CHARGED _____ **DISPOSITION** _____

Male **Female**

Bail set _____ **OR**

Case Processing Time: _____

Diverted: No Yes 1 year 2 years

Diversion Completed: No Yes

Probation: No Summary _____ Formal _____

Suspended Jail: No Yes _____

Jail: No Yes _____

Fine: No Yes

Domestic Violence Counseling: No Yes

Drug/Alcohol Counseling: No yes

Proof of Enrollment: No Yes

Progress Reports: 1 2 3 4 reports

Probation Revoked/Reinstated No Yes
Additional jail sentence:

Probation Revoked: No Yes
(not reinstated)

Counseling Completed No Yes

Number of Judicial 1 2 3 4 5 6 magistrates
Officers

Case Dismissed No Yes
(diversion completed)

Case Dismissed
(other) No Yes

Bench Warrant No Yes
Outstanding

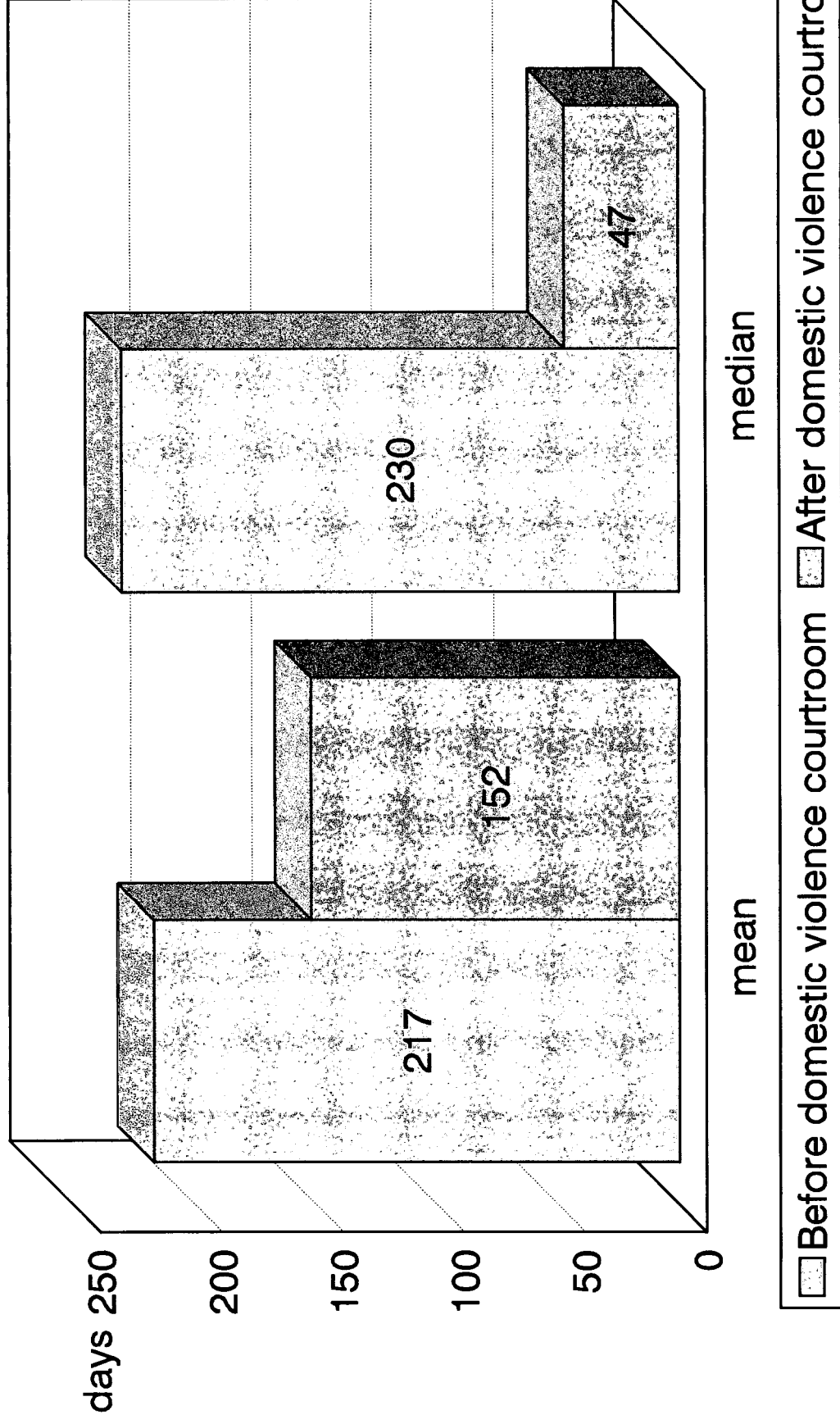
APPENDIX C

WILLFUL AND UNLAWFUL USE OF FORCE

CITRUS MUNICIPAL COURT

Number of Days to Disposition

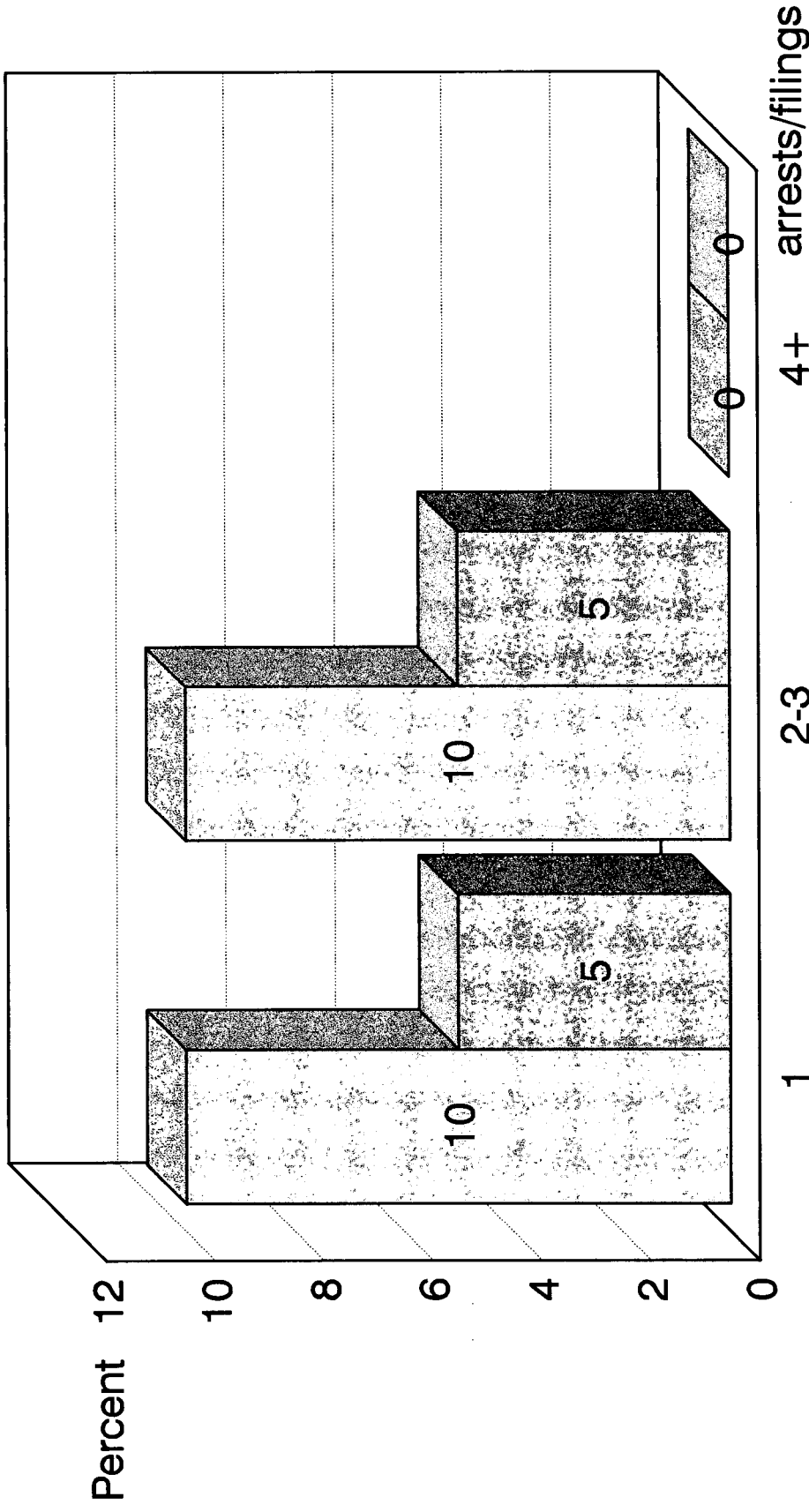
Penal Code 242: Willful and unlawful use of force upon another person



CITRUS MUNICIPAL COURT

New Arrest/Filing within One Year of Conviction/Diversion

Penal Code 242: Willful and unlawful use of force upon another person



Before domestic violence courtroom After domestic violence courtroom

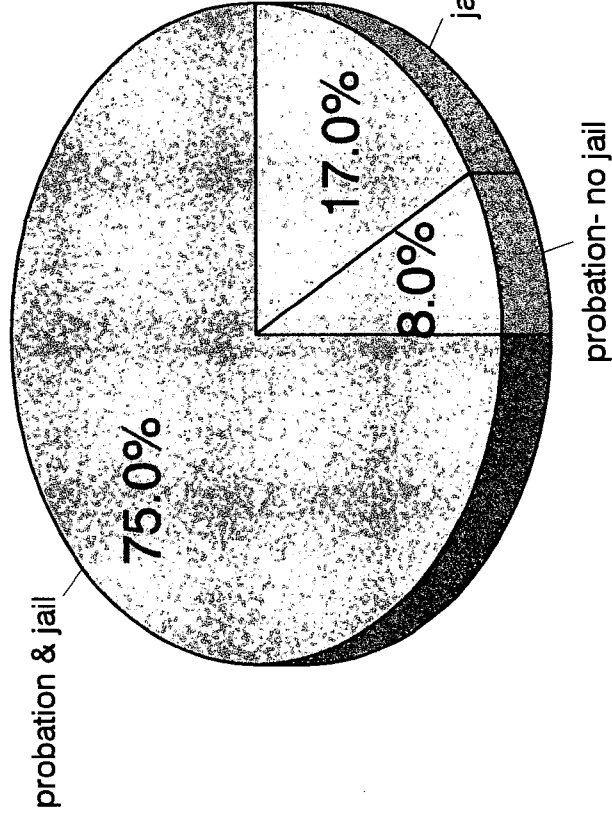
CITRUS MUNICIPAL COURT

Probation and Jail Sentences Imposed

Penal Code 242: Willful and unlawful use of force upon another person

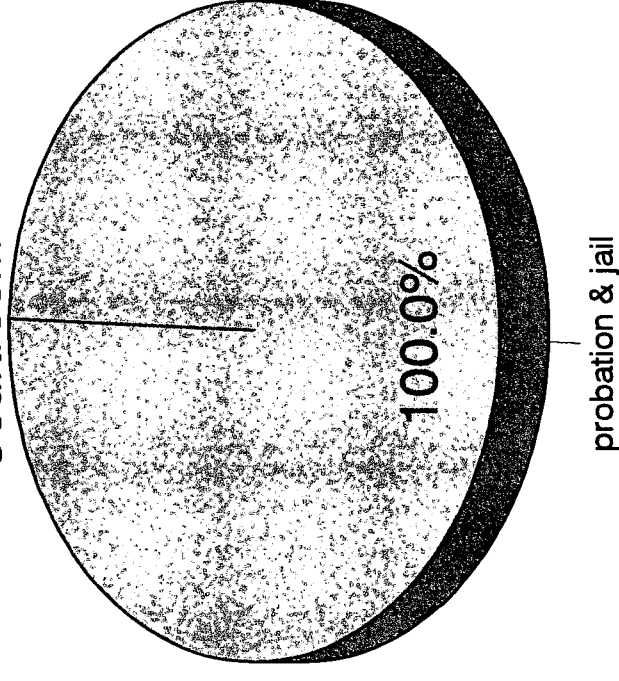
BEFORE

Domestic Violence
Courtroom



AFTER

Domestic Violence
Courtroom



CITRUS MUNICIPAL COURT

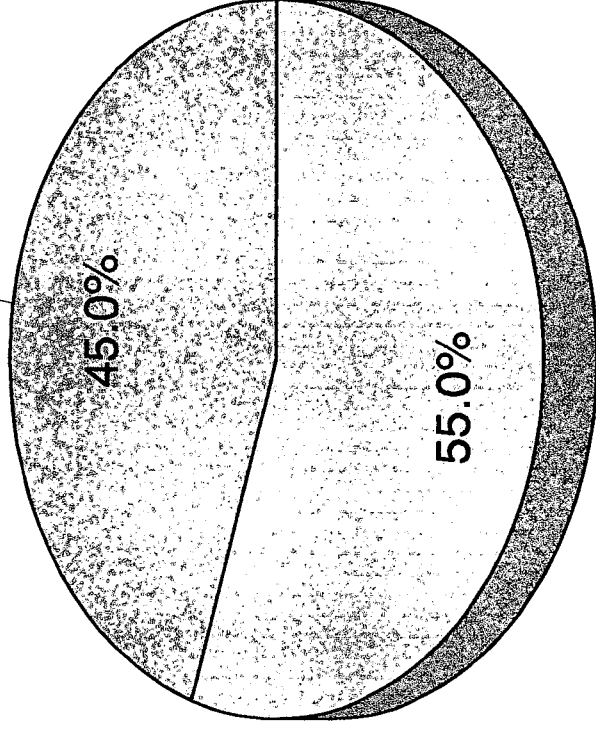
Domestic Violence Counseling Ordered with Probation

Penal Code 242: Willful and unlawful use of force upon another person

BEFORE

Domestic Violence
Courtroom

probation & counseling

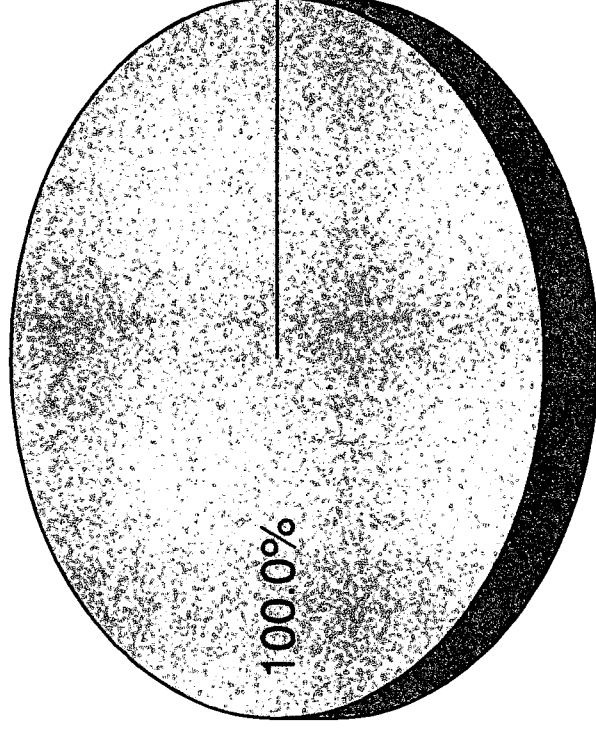


probation
no counseling

AFTER

Domestic Violence
Courtroom

probation & counseling

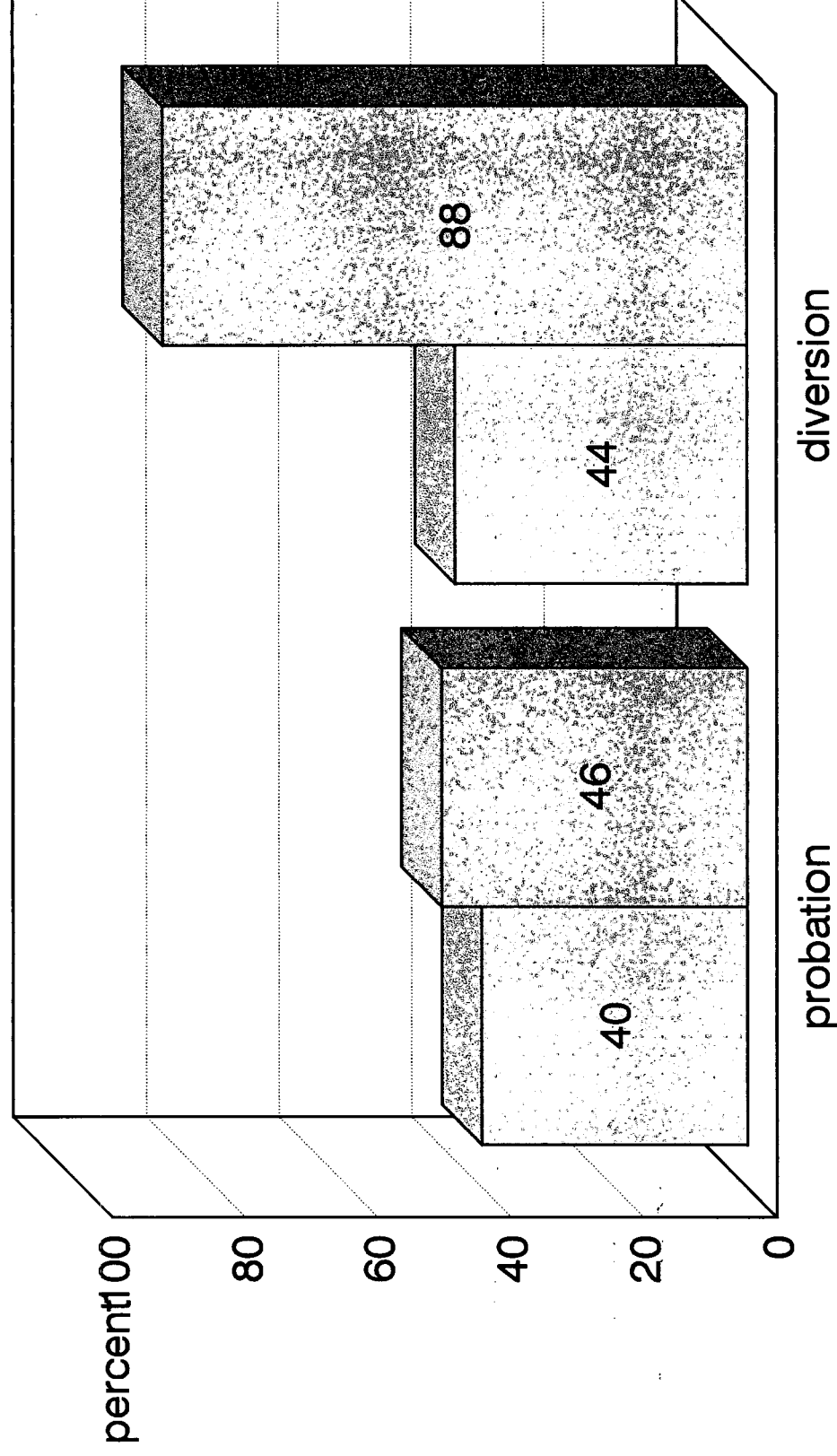


Appendix C4

CITRUS MUNICIPAL COURT

Proof of Completion of Domestic Violence Counseling

Penal Code 242: Willful and unlawful use of force upon another person



Before domestic violence courtroom After domestic violence courtroom

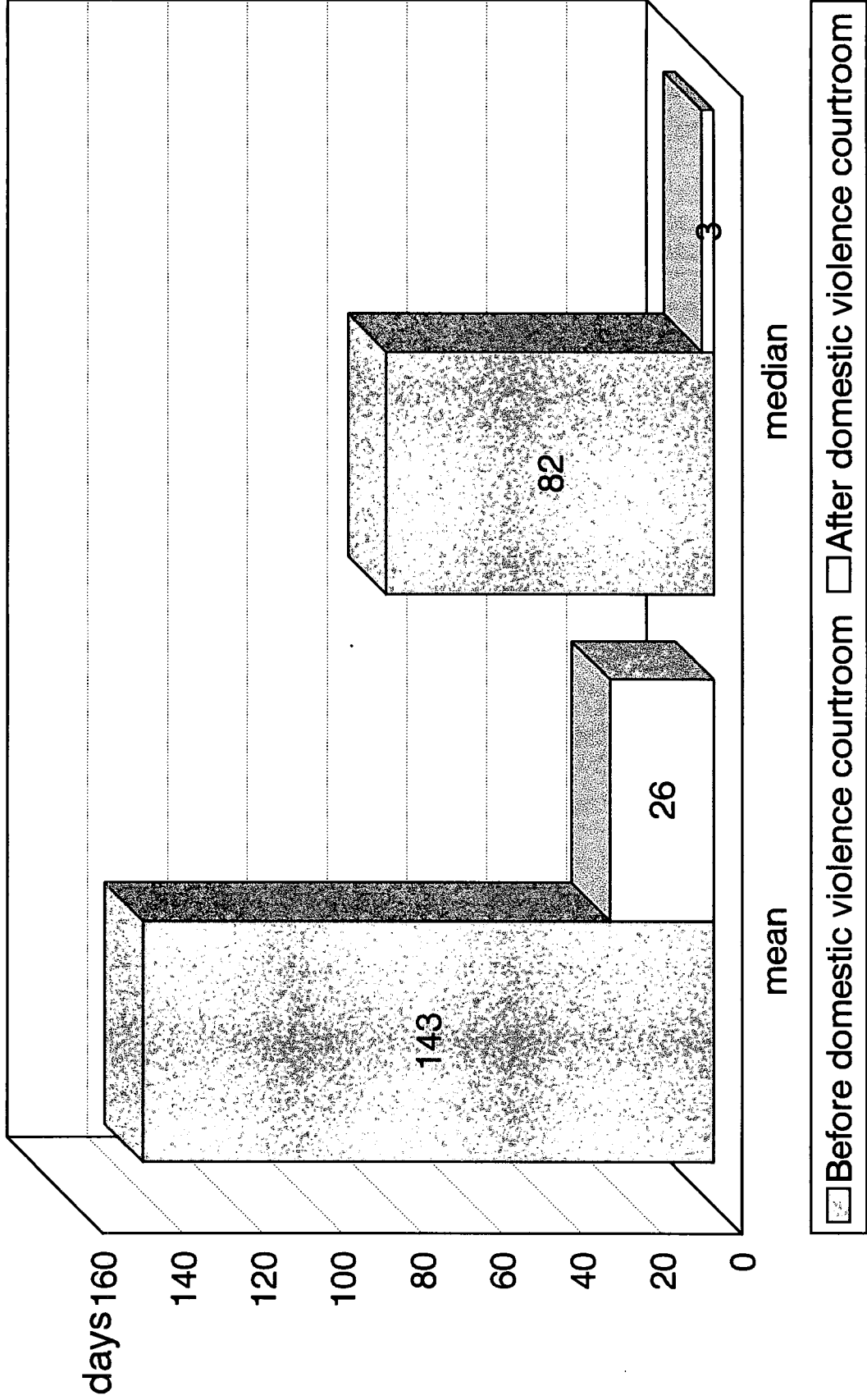
APPENDIX D

CORPORAL INJURY TO A SPOUSE OR COHABITANT

CITRUS MUNICIPAL COURT

Number of Days to Disposition

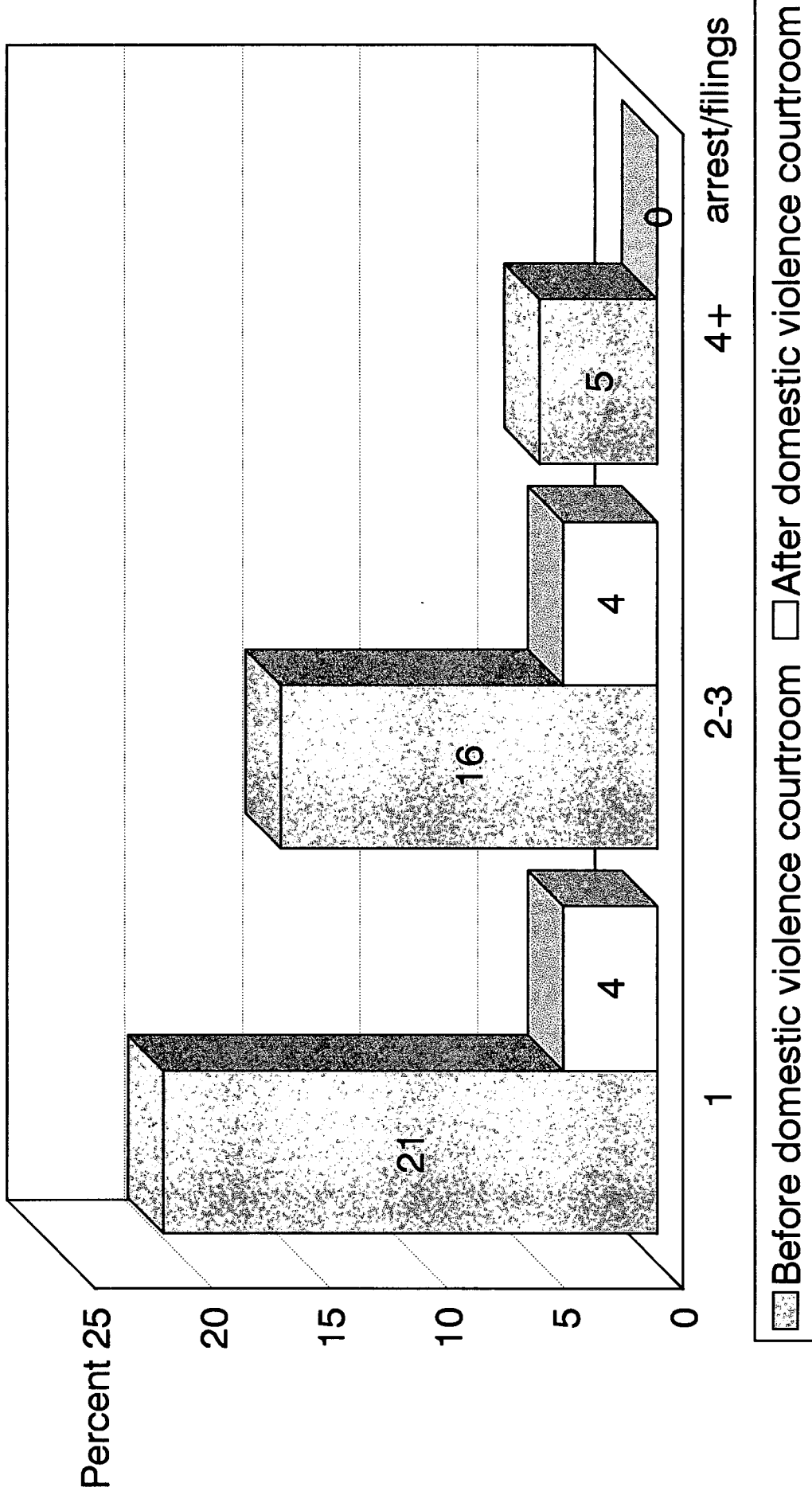
Penal Code: 273.5(a): Corporal injury to a spouse or cohabitant



CITRUS MUNICIPAL COURT

New Arrest/Filing within One Year of Conviction

Penal Code: 273.5(a): Corporal injury to a spouse or cohabitant



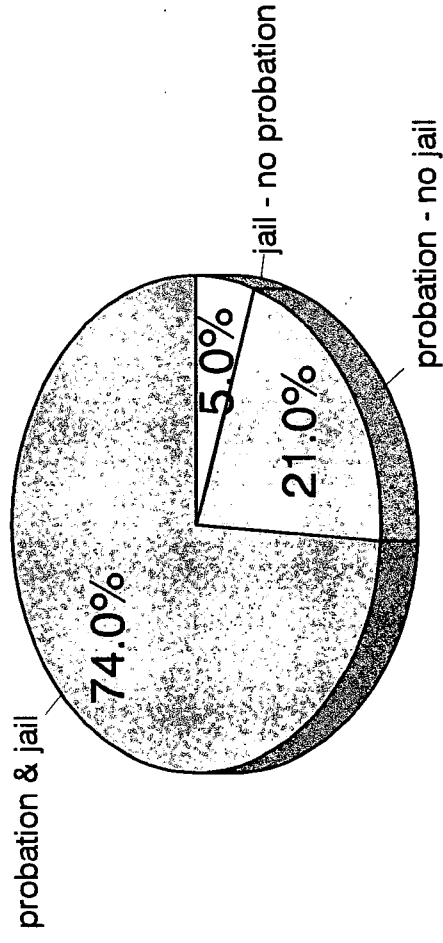
CITRUS MUNICIPAL COURT

Probation and Jail Sentences Imposed

Penal Code: 273.5(a): Corporal injury to a spouse or cohabitant

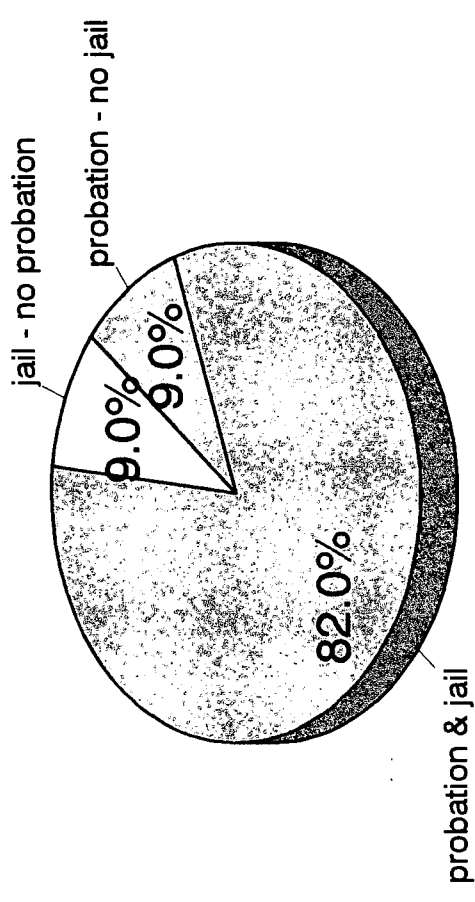
BEFORE

Domestic Violence
Courtroom



AFTER

Domestic Violence
Courtroom



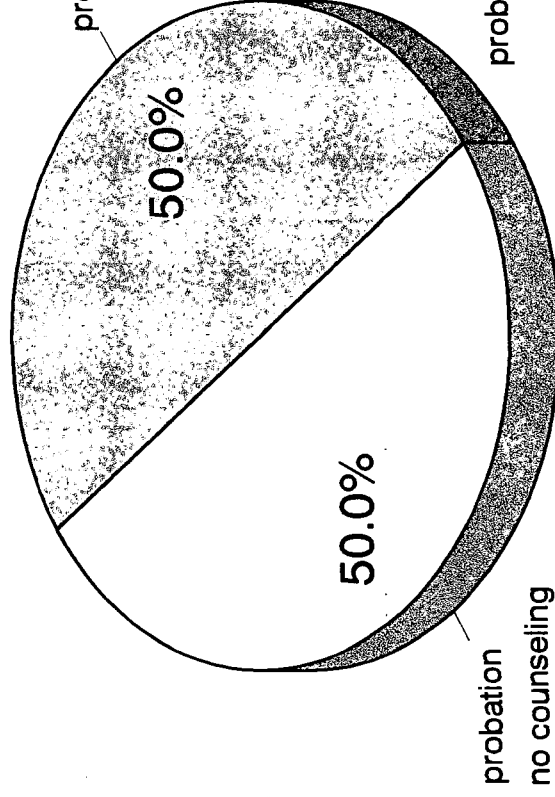
CITRUS MUNICIPAL COURT

Domestic Violence Counseling Ordered with Probation

Penal Code: 273.5(a): Corporal injury to a spouse or cohabitant

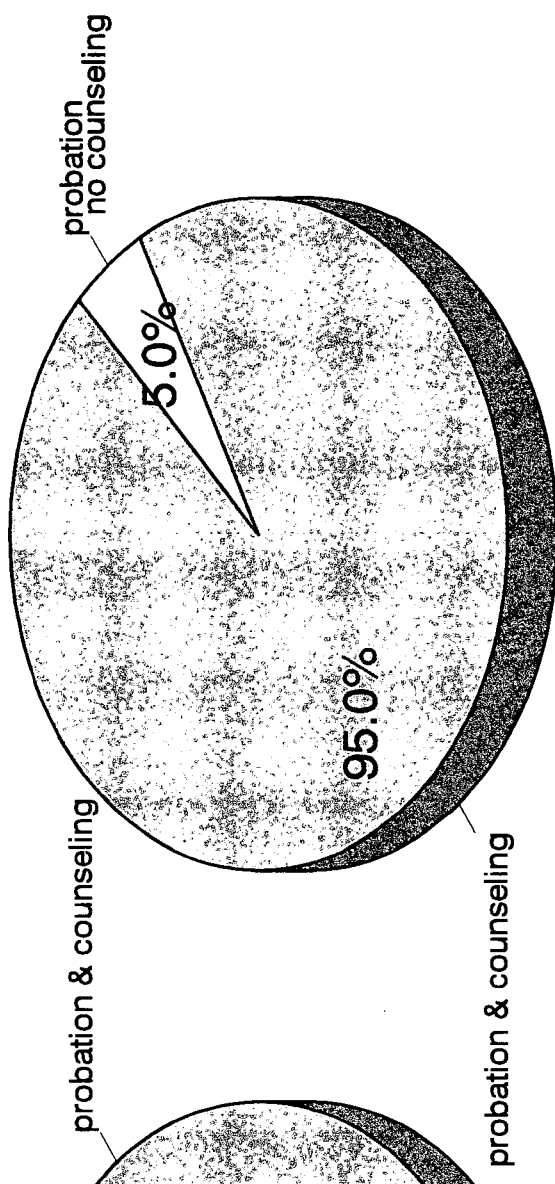
BEFORE

Domestic Violence
Courtroom



AFTER

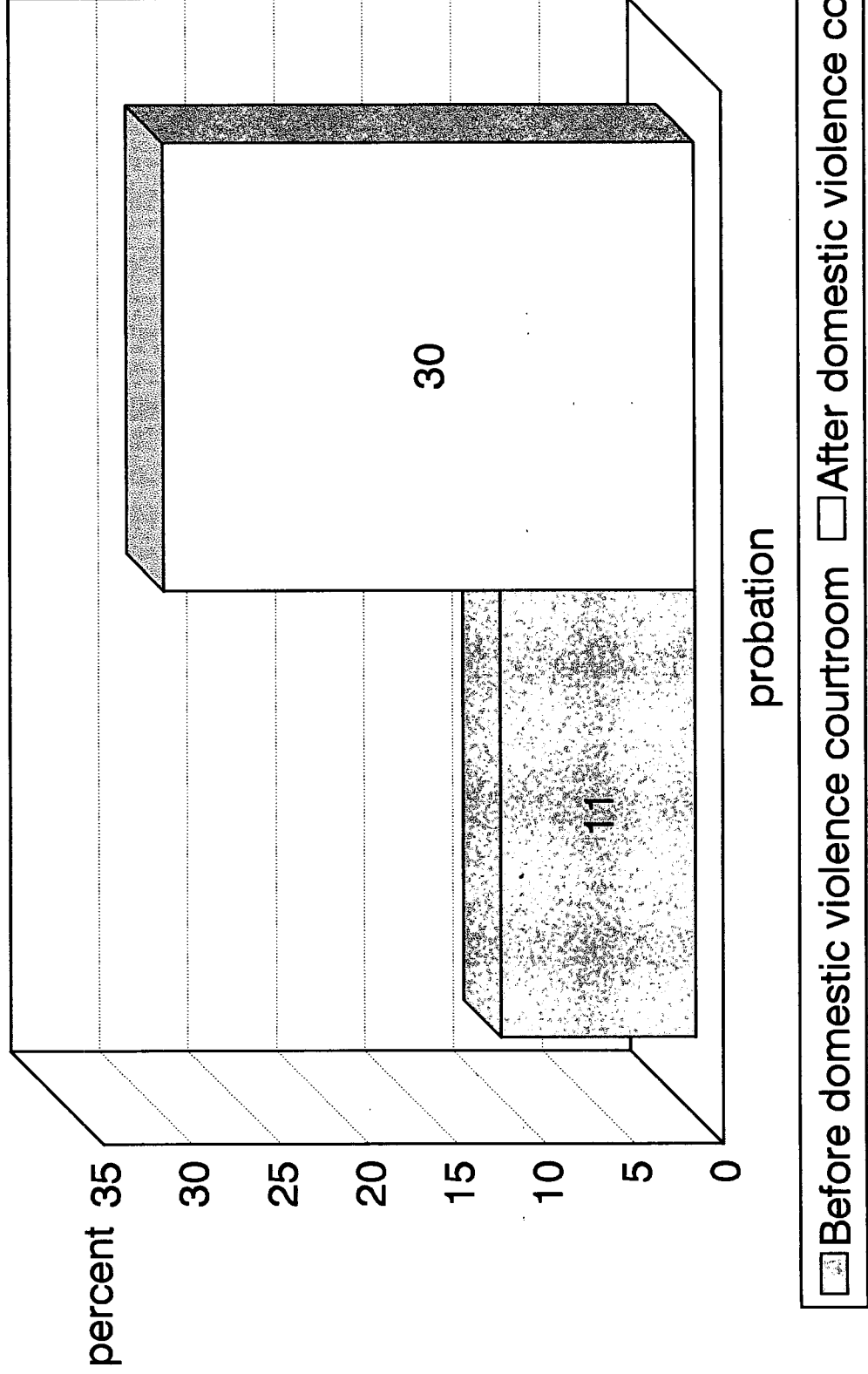
Domestic Violence
Courtroom



CITRUS MUNICIPAL COURT

Proof of Completion of Domestic Violence Counseling

Penal Code: 273.5(a): Corporal injury to a spouse or cohabitant



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