



DV AWARE* Multidisciplinary Institute Curriculum

Helping Courts Implement Safety Protocols for Domestic Violence Risk

June 2022

(Revised August 2024)

These materials were originally developed under grant number SJI-21-P-044 and revised under grant number SJI-22-P-030 from the State Justice Institute. The points of view and/or recommendations expressed are those of the speakers and do not necessarily represent the official position or policies of the State Justice

* Domestic Violence Analysis Warning, Action, Recovery, and Engagement

TABLE OF CONTENTS

- 1. MODULE 1. CURRICULUM OVERVIEW**
 - I. The DV AWARE Project
 - II. Content, Goals, and Learning Objectives
 - III. Delivery, Use, and Timing
- 2. MODULE 2. WELCOME AND INTRODUCTIONS**
 - I. Welcome and Introductions
 - II. Institute Description
 - III. Overview and Learning Objectives
 - IV. Mapping Your Court: Icebreaker Exercise
 - V. Taking the Pulse of Participants
- 3. MODULE 3. DOMESTIC VIOLENCE: THE BIGGER PICTURE**
 - I. Description, Introduction, and Learning Objectives
 - II. Domestic Violence Dynamics
 - III. Domestic Violence: Definitions and Context
 - IV. Debrief of Comings and Goings from Professional Participants
- 4. MODULE 4. ANALYSIS AND WARNING: RISK AWARENESS AND COMMUNICATION**
 - I. Description, Introduction, and Learning Objectives
 - II. Awareness of Risk
 - III. Risk Identification and Response Planning
 - IV. Communications Planning and Implementation
 - V. Collaboration and Action Planning
- 5. MODULE 5. ACTION: RESPONDING EFFECTIVELY TO VIOLENCE**
 - I. Description, Introduction, and Learning Objectives
 - II. Elements of an Action Protocol
 - III. Communicate, Drill, Review, and Repeat
- 6. MODULE 6. RECOVERY AND ENGAGEMENT: COMMUNITY HEALING**
 - I. Description, Introduction, and Learning Objectives
 - II. Trauma and Trauma-Responsive Systems
 - III. Recovery Strategies: Focusing on Safety, Healing, and Community
 - IV. Collaboration and Action Planning

MODULE 1. CURRICULUM OVERVIEW

- I. The DV AWARE Project
- II. Content, Goals, and Learning Objectives
- III. Delivery, Use, and Timing

CURRICULUM OVERVIEW

I. THE DV AWARE PROJECT. One in four women, and one in seven men, have been the victims of severe physical violence by an intimate partner in their lifetime.¹ Many survivors and their abusers appear in juvenile and family courts to resolve divorce, child support, visitation, and custody disputes, or in response to child abuse and neglect cases where the court culture is more relaxed than criminal courts in order to be friendlier to families and unrepresented litigants.

We know that perpetrators of domestic violence threaten the safety and well-being not only of their intimate partners and children, but also of their communities. In a recent United States Secret Service report, *Mass Attacks in Public Spaces*, 35% of attackers had committed prior acts of domestic violence.² Other studies have also found a link between mass shootings and domestic violence.³ We also know that, for many perpetrators of domestic violence, power and control tactics will escalate as they perceive a loss of power and control. This presents not only an alarming risk to victims, but to courts, which represent authority and loss of control to many

¹ “Statistics.” The National Coalition Against Domestic Violence, 2020. Retrieved: <https://ncadv.org/STATISTICS>

² Retrieved from <https://www.secretservice.gov/sites/default/files/reports/2020-09/MAPS2019.pdf> (last accessed May 24, 2022).

³ See e.g., Geller, Lisa B., Booty, Marissa, Crifasi, Cassandra K. The role of domestic violence in fatal mass shootings in the United States, 2014-2019. *Injury Epidemiology* (2021) 8:38, retrieved from <https://inpejournal.biomedcentral.com/articles/10.1186/s40621-021-00330-0> (last accessed May 24, 2022); Gold, Liza H. Domestic Violence, Firearms, and Mass Shootings. *J. Am. Acad. Psychiatry Law* 48(I) (2020), retrieved from <http://jaapl.org/content/early/2020/02/05/JAAPL.003929-20.abstract> (last accessed May 24, 2022).

perpetrators of domestic violence, as does a loss of parental rights. In a study looking at courthouse violence for the span of a century (1907-2007), domestic violence was the motive in one-third of courthouse shootings.⁴

The National Council of Juvenile and Family Court Judges' (NCJFCJ) Helping Courts Implement Protocols for Domestic Violence Analysis, Warning, Action, Recovery, and Engagement (DV AWARE) Project seeks to improve juvenile and family courts' ability to anticipate dangerous incidents in their courts associated with domestic violence, respond in a manner that mitigates these tragedies, and recover from violence in their courts with trauma-informed, healing strategies for the court and community.

The Project and this DV AWARE Multidisciplinary Institute Curriculum is made possible through an award from the State Justice Institute (SJI) to NCJFCJ and support from Project partners, which includes: Aequitas Global Security; the National Center for State Courts, Court Security and Court Facilities; the National Association for Court Management; the New Jersey Superior Courts; Johns Hopkins University, Domestic Violence and Risk Assessment; the Washoe County (NV) Sheriff's Office, the Middlesex County (MA) Sheriff's Office; the Major Counties Sheriffs Association, the Salt Lake County (UT) Sheriff's Office, the Fayette County (KY) Sheriff's Office, the National Sheriffs Association Domestic Violence and Crime Services Division, the Petersburg County (VA) Sheriff's Office, the Cook County (IL) Domestic Violence Court, Legal Services of Northern Virginia, Badiga Law Office, and the Legal Aid Center of Southern Nevada.

NCJFCJ would also like to thank the following individuals for their assistance, contributions, and input in the development of this curriculum and its content: John F. Muffler, Hon. Katherine Tennyson (Ret.), Hon. Michael K. Newell, Nathan Hall, Greg Lambard, Kathy Griffin, Jacquelyn Campbell, Sheriff Darin Balaam, Captain Phil Jones, Sheriff Peter Koutoujian, Sheriff Rosie Rivera, Sheriff Kathy Witt, Sheriff Vanessa

⁴ "Research Note: Courthouse Shootings 1907-2007." 2010 Sage Publications. Gregg W. Etter and Warren G. Swymeler. 14(1) 90-100.

Crawford, Stephanie Senuta, Dipti Pidikiti-Smith, Jaya Badiga, and Stephanie McDonald.

II. CONTENT, GOALS, AND LEARNING OBJECTIVES.

A. Content. The curriculum consists of this overview and five additional curriculum “modules,” which are:

- *Welcome and Introductions*
- *Domestic Violence: The Bigger Picture*
- *Analysis and Warning: Risk Awareness and Communication*
- *Action: Responding Effectively to Violence*
- *Recovery and Engagement: Community Healing*

This document consists of a curriculum outline for faculty teaching the Institute and includes learning objectives, detailed instructions to the faculty, descriptions of and instructions for facilitating exercises, information regarding handouts, summaries of learning points, and text corresponding to PowerPoint slides and other audio-visual aids. PowerPoint slides, referenced herein as “[Slide #],” provide visual support of selected materials, such as factual summaries, discussion questions, and learning points. Similarly, handouts for participants are referenced herein as “(Handout #).”

B. Goals. On any given day, judicial officers, court employees, the public, counsel, inmates, victims, and families enter court space and intersect. In every courthouse, people can lose their finances in civil court, freedom in criminal court, and family in domestic court, where significant, life-altering decisions are made daily. The purpose of DV AWARE is to enhance the capacity and capabilities of courts and communities. DV AWARE brings together community organizers, judges, law enforcement, victim advocates, court administrators and anyone with a stake in domestic violence awareness, personal and physical security measures, and countermeasures with the goals of providing:

- Training and tools to critically analyze their own court systems for the risks posed to their staff, community, and the administration of justice by domestic violence perpetrators.
- Guidance, tools, and collaborative partnerships to address gaps in training, communication, and protocols that make them vulnerable to violence and ill prepared to lead their courts and communities in recovery.
- Resources and guidance to encourage their teams in continued, structured learning about the risks of domestic violence perpetrators to their families and communities, mitigation of these risks, and elements of recovery that support confidentiality, healing, safety, and community.

C. Learning Objectives. This curriculum is designed with overarching Institute learning objectives as well as learning objectives for each module. The learning objectives for the Institute and each of its major modules are as follows:

OVERALL INSTITUTE OBJECTIVES. *By the end of this training, learners will be able to:*

- Understand the elements of effective planning for and response to domestic violence-related dangerous incidents in courts.
- Analyze their readiness and capacity to respond to domestic violence-related dangerous incidents.
- Create and apply policies, practices, and procedures aimed at improving court/system readiness and response.

DOMESTIC VIOLENCE: THE BIGGER PICTURE. *By the end of this module, learners will be able to:*

- Recognize the dynamics of domestic violence, including victim and offender behavior inside and outside the courtroom.
- Explore the dynamics of domestic violence relating to considerations of risk and safety for your court.
- Understand court and community interactions with parties in domestic violence cases.

ANALYSIS AND WARNING: RISK AWARENESS AND COMMUNICATION. *By the end of this module, learners will be able to:*

- Analyze the risks posed to their court and appraise the gaps and barriers in their courts' response systems and plans.
- Structure their court's risk awareness and communications systems to adapt and respond to identified risks.
- Implement a systemic response strategy that incorporates best practices and procedures.

ACTION: RESPONDING EFFECTIVELY TO VIOLENCE. *By the end of this module, learners will be able to:*

- Evaluate emergency response resources among and between agencies/systems.
- Appraise the gaps and barriers in their courts' response systems and plans.
- Formulate and implement effective response plans and protocols.

RECOVERY AND ENGAGEMENT: COMMUNITY HEALING. *By the end of this module, learners will be able to:*

- Use available resources to design and implement collaborative short- and long-term recovery strategies that support confidentiality, healing, safety, and community.
- Engage effectively in a trauma-informed way with staff, the public, and community about any incident.
- Assemble a balanced and ongoing process and approach that considers safety, access, facility, and environment.

III. DELIVERY, USE, AND TIMING.

A. Delivery and Use. The Institute curriculum is designed to be delivered in person by a panel of expert faculty that ideally includes judicial, law enforcement, administrative, civil/legal, and/or advocate representatives. It is anticipated that the Institute will be presented to local or regional court stakeholder groups, committees, or teams that work together to address court and community safety regarding domestic violence-related risks. Audiences may include judges, law enforcement officers (including police, sheriffs, bailiffs and/or other court-based security), court administrators, probation officers, attorneys, advocates, guardians ad litem, agency/organization leadership, community partners and organizations (*i.e.*, everyone who is working in the court system and/or others within the community who may be impacted by a domestic violence-related incident within the courts.)

It is anticipated that audiences may have different levels of training and experience both with domestic violence and its dynamics as well as with emergency assessment, planning, and response to court-based or other domestic violence-related threats and incidents.

Designed in a modular format, DV AWARE is a multi-day training program that utilizes a layered approach to encourage participants to work in a multi-disciplinary setting. Expert faculty will address the module exercises, learning points as described in the curriculum outline, and timing for each module.

Because each courthouse and court community has its own culture and security ecosystem, this course is designed to be scalable and customizable. Faculty should encourage and facilitate open dialogue with stakeholders and not attempt a “one size fits all” approach to training.

Courthouses and victims of domestic violence are in a constant position of risk. Therefore, proper assessment tools—from physical security to behavioral risk—are critically important to understand what safety and security measures need to be in place in order to mitigate a threat. Where possible, background in risk assessment protocols should be part of an instructor’s experience and/or training.

Where communities and courts have prepared active threat-type response planning and training in place, delivering this course to a court/community with such plans will only enhance the overall learning experience.

The curriculum incorporates flexibility so that faculty may omit or add materials to meet the needs of participants in any particular exercise or module and/or to conform to the given time constraints in a module. Where modifications are anticipated to be needed to tailor the training content to the community of participants, instructions on how that modification may be implemented by faculty are included in the outline's faculty notes and/or instructions.

This curriculum is a working draft subject to revisions in the exercises, teaching techniques, visual aids, or learning points. Therefore, faculty is encouraged to suggest revisions on the curriculum content and use.

The latest versions of course materials included and referenced in this document, as well as materials to facilitate the exercises (*e.g.*, flipcharts or whiteboards, paper, pens/pencils, dry markers), will need to be available or delivered to the training site.

B. Timing. This Train-the-Trainer Institute is designed to be delivered over three days. It is recommended that faculty members meet prior to the Institute to coordinate their final preparation and/or any required set-up for the training at the venue.

It is also recommended that faculty review each module, the segments within each module and the exercises contained in the outlines to customize and determine appropriate times for each, including times for breaks and lunches, according to faculty/participant needs. The faculty team should carefully monitor time to keep the segment moving within their established timeframes and adjust the exercises/discussions accordingly.

MODULE 2. WELCOME AND INTRODUCTIONS

- I. Welcome and Introductions
- II. Institute Description
- III. Overview and Learning Objectives
- IV. Mapping Your Court: Icebreaker Exercise
- V. Taking the Pulse of Participants

DAY ONE

WELCOME AND INTRODUCTIONS

I. WELCOME AND INTRODUCTIONS [SLIDES 1-2]

Faculty Introductions. [Slide 2] This segment begins the Institute. The faculty welcomes the participants to the Institute on behalf of the faculty and staff and provides some brief background on the Institute. The faculty asks each of the faculty members to briefly introduce themselves as they go around the room and notes that faculty bios are provided in participant folders.

Participant Introductions. The faculty asks the participants to introduce themselves individually, giving name, title/role, court and why they have come to participate in the Institute. The introductions proceed by passing a microphone around each table. (**Faculty Note:** whenever possible, use microphones for all talk in the large group, and everyone must wait for the mic to be passed – it is a matter of equal access for those who may not hear as well as others. Also, faculty may need to adjust the information requested from participants depending on time and the number of participants.)

II. INSTITUTE DESCRIPTION

This curriculum and the Institute are made possible through an award from the State Justice Institute (SJI) to the National Council of Juvenile and Family Court Judges

(NCJFCJ) as well as support from project partners. It was developed as part of the Helping Courts Implement Protocols for Domestic Violence Analysis, Warning, Action, Recovery, and Engagement (DV AWARE) Project, whose goal is to improve juvenile and family courts' ability to anticipate dangerous incidents in their courts associated with domestic violence, respond in a manner that mitigates these tragedies, and recover from violence in their courts with trauma-informed, healing strategies for the court and community.

Faculty describes the Institute as follows:

- The two-day Institute will be led by a faculty team of experienced professionals from throughout the country who have knowledge and experience around domestic violence and its risks to victims, the courtroom, and beyond.
- The Institute is participatory, interactive, and “hands-on” and is a great opportunity to discuss and engage with peers, build collaborations, and develop a plan of action.
- The Institute will:
 - Provide community teams with the training and tools needed to critically analyze their own court systems for the risks posed to their staff, community, and the administration of justice by domestic violence perpetrators.
 - Offer guidance, tools, and collaborative partnerships to address gaps in training, communication, and protocols, which make them vulnerable to violence and ill-prepared to lead their courts and communities in recovery.
 - Discuss resources to encourage their teams in continued, structured learning about the risks of domestic violence perpetrators to their families and communities, mitigation of these risks, and elements of recovery that support confidentiality, healing, safety, and community.

As part of this description, faculty should briefly describe the elements of DV AWARE [Slide 3] and mention that a theme of the Institute is the idea of a cycle of continuous improvement [Slide 4], that each module should lead them back to reconsider their understanding, plans, and procedures with an eye to continually improve their preparedness for and response to domestic violence-related incidents in order to better provide for the safety of the victims, the courts, and the community.

Faculty may also review ground rules such as use of microphones, confidentiality, listening and speaking, and defining the Institute time as a safe space to discuss matters of significance. This includes:

- Mutual respect
- Listening with curiosity, balanced with speaking
- Asking questions
- Assuming goodwill, recognizing impact
- Being physically present throughout the meeting and giving full attention
- Respecting confidentiality
- Language and institute focus

(Faculty Note: The Institute’s contents and discussions will be challenging and emotional and faculty should be sensitive that participants may need to step outside during exercises, which may be particularly triggering to individual participants.) The faculty informs participants that the Institute focuses on risk and violent incidents within and impacting courts. Included within the Institute are breaks as well as some self-care exercises, but participants should feel encouraged to practice self-care, and if they need to take a moment to themselves or debrief with a colleague, they should do so. Seminar leaders and faculty are also available to them if needed. Faculty will also review the potential for triggering exercises and videos as they come up.

III. OVERVIEW AND LEARNING OBJECTIVES [SLIDE 5]

Faculty provides a brief overview of the content and format for introductory purposes. Faculty and/or staff inform participants of housekeeping information such

as the location of the restrooms and other facilities. Faculty reminds other faculty, staff, and participants to refrain from using cell phones, laptops, and tablets and to refrain from side bar conversations. The faculty asks participants to please either turn electronic devices off or place them on vibrate, and if they need to talk or place a call or text, to please leave the room before doing so. Faculty then reviews the materials in the participants' folders (indicating how the materials are ordered/numbered/colored), including the handouts and worksheets, and noting that after each module, participants will be given time to reflect on the information and consider how to apply what they learned to their daily practice/court operations.

Faculty asks participants to wait to be acknowledged by faculty to provide their input and to wait for the microphone to speak, out of consideration for participants who have accessibility concerns.

Institute Learning Objectives [Slide 5] Faculty reviews the learning objectives for this Institute. *By the end of this training, learners will be able to:*

- Understand the elements of effective planning for and response to domestic violence related dangerous incidents in courts.
- Analyze their readiness and capacity to respond to domestic violence related dangerous incidents.
- Create and apply policies, practices, and procedures aimed at improving court/system readiness and response.

IV. MAPPING YOUR COURT: ICEBREAKER EXERCISE [SLIDES 5-7]

(Faculty Note. This icebreaker serves two purposes: it is a fun warm-up activity, and it is an opportunity to lay groundwork for subsequent modules and discussions. We want participants to begin thinking about their court facilities, their current security, and their roles and responsibilities vis-à-vis one another and within the court system more broadly.)

Faculty informs participants that they will be engaging in a short icebreaker exercise **[Slide 6]**, the goal of which is to create rough drawings (*e.g.*, one giant rectangle for the courthouse with areas designated inside, akin to a rough floor plan) of those places within their courthouses and communities they consider as part of the area included within safety planning, protection, and response for the purposes of this training.

Faculty starts by telling participants that the Institute is focused on providing court systems and their partners the tools to understand, analyze, and apply strategic responses to domestic violence-related, targeted violence. A first step is for participants to define what they consider part of their court systems for the purpose of this training. Faculty asks, *“What is the physical space you consider as part of the ‘court’ when thinking about safety planning, protection, and response?”* **[Slide 7]**

Faculty informs participants that they will work as a large group to develop a drawing showing that space. Using an available wall, flipchart pages, whiteboards, and/or a large sheet of paper will be set up and markers provided. Faculty asks participants to draw out the physical space that they consider part of the area included within safety planning, protection, and response for the purposes of this training. They should include any security measures in place in those facilities (*i.e.*, security cameras, security guards, entrance screening, etc.) Lastly, participants will mark on their map where they are located within that space.

Some prompting questions:

- *When you think of court safety, does it only include the actual court building?*
- *What does your court building look like?*
- *What does your court security look like?*
- *Does your security area include parking lots or additional building spaces?*

At the end of the 20 minutes, faculty asks questions of the group to allow participants to explain what they have drawn—identifying the buildings, parking, security stations,

and other areas that they included in their map. Faculty closes the exercise by stating that the map will be left up during the training and will be used and developed further in later segments.

V. TAKING THE PULSE OF PARTICIPANTS [SLIDES 7-8]

Faculty next lead participants in a brief exercise to identify the concerns, motivations, and pressures around the training program topics that participants bring to the program, as well as the knowledge and outcomes they seek. Faculty ask participants to use small post-it notes to respond to the following questions:

1. I am most concerned about this aspect of our community's planning for and/or response to courthouse-related critical incidents in domestic violence cases.
2. I hope to increase my understanding of these related topics.
3. I hope a concrete outcome of my participation will be...

Once they have completed their post-its, participants place them on flipcharts corresponding to the questions. Participants are given a couple of minutes to review others' responses, and faculty share one or two salient ones with the whole group.

If responses do not address the whole spectrum of DV AWARE (e.g., nothing related to Recovery), faculty can ask follow-up questions about the missing areas.

[Alternative approach: prompting questions asked of the large group and faculty capture responses on large flip charts, each labeled with a DV AWARE element: Awareness, Warning, Action, Recovery & Engagement]

Faculty then transitions to the next module by saying, *"We will spend the balance of the morning engaged in exercises aimed at understanding the dynamics of domestic violence and the experience of victims, and how all of that relates to increasing court and community safety."*

MODULE 3. DOMESTIC VIOLENCE: THE BIGGER PICTURE

- I. Description, Introduction, and Learning Objectives
- II. Domestic Violence Dynamics
- III. Domestic Violence: Definitions and Context
- IV. Debrief of Comings and Goings from Participants Professional Roles

DOMESTIC VIOLENCE: THE BIGGER PICTURE

I. DESCRIPTION, INTRODUCTION, AND LEARNING OBJECTIVES [SLIDES 8-9]

Using an interactive, immersive exercise, video, brief lectures, discussions, and exercises, this module will help participants define domestic violence, assess the contexts in which violence may occur, and understand why context is important. Context is the key to identifying intimate partner violence, determining the nature of the abuse (coercive controlling, reactive, situational), and evaluating its impacts.

Faculty starts by presenting the learning objectives. **[Slide 8]** *As a result of this module, learners will be better able to:*

- *Recognize the dynamics of domestic violence, including victim and offender behaviors inside and outside the courtroom.*
- *Explore the dynamics of domestic violence relating to considerations of risk and safety for their court.*
- *Understand court and community interactions with parties in domestic violence cases.*

II. DOMESTIC VIOLENCE DYNAMICS [SLIDES 13-21]

Comings and Goings Exercise: © *National Council of Juvenile & Family Court Judges (adaptation from NJIDV Comings and Goings Exercise).*

This exercise will focus on barriers to safety for victims and will enhance participants'

understanding of the multi-faceted considerations that accompany a victim's decision to remain in an abusive relationship. "Comings and Goings", an interactive exercise, was factually changed and adapted from one created for elder abuse by the National Clearinghouse on Abuse in Later Life (NCALL).

The Learning Objective is on **[Slide14]** and stated below:

- Recognize the complex reasons a victim might choose to remain in or return to an abusive relationship
- Identify risks of harm encountered by victims within and beyond the courthouse, and the implications for safety of court personnel, judges, and others

Instructions **[Slides 15-19]**

Staff will hang posters around the room indicating possible locations. Participants will be handed a sheet of paper with a description of a role and a list of the locations they will choose between, and each location's cost and limitations. Participants will also receive money and goodwill, in the form of yellow and green cards, distributed in random quantities. The facilitator will read a script and participants will make decisions whether to remain in the home in an abusive relationship based on the facts. Each decision has an associated cost (see below). The participants must pay the fare at each poster as they move there, or whenever the bell is rung.

Faculty will use the PowerPoint Slide #s to explain the exercise rules and then asks participants to stand and move to the poster marked "home." Once the exercise begins, participants may not ask questions, and the facilitator should ignore any further questions. Except for the facilitator, this exercise should be conducted in silence.

TOTAL LOCATIONS: 3-4

1. **Home** (1 stations) (you, your partner, your children, and your dog) (no cost)
2. **Apartment** (you, your children, and your dog) (3 green, 1 yellow for help with childcare)
3. **Friend's Home** (you, your children, no dog) (costs two yellow)

The posters will have envelopes attached in which participants must deposit whatever "fare" is indicated on the poster. The fare is as follows:

a. Fare:

Green cards = money (financial cost)

Yellow cards = goodwill (cost of accepting assistance from friends, family, others)

Each participant will randomly be given a different quantity of resources, just as in life each victim has access to varying levels of resources. Two participants should be given 15 green cards and three yellow each. For those participants, their packets should include a message saying, "You have 15 green cards."

b. Comings and Goings Roles

You are a 42-year-old woman who has been married for 18 years. You have two children, Monica, age 9 and Raphael, age 12. You work part-time as an insurance agent while your kids are at school. You are devoutly religious. You have a modest home in a rural area. Your husband works at the local community college as a security guard. You have recently given your son an 8-month-old puppy for his birthday which you are all very fond of.

Script

To Everyone

#1. You work three days a week and one Saturday a month to help support the family. Your mother-in-law picks up the children from school and cares for them while you work. Recently your husband has begun calling and texting you repeatedly while you are at work. Today he left a message saying *"I am getting tired of you not here when I call, and the kids are too much for my mom to handle. You care more about your job than your family. You need to be home before I get home today or else."* He is so upset that you tell your manager you need to leave work early. She warns you that between the constant calls from your husband while you are at work and your absences, you are on thin ice. What do you do, stay or move?

#2. You look for your birth control pills in the morning, which you usually hide from your husband because he says it is against your faith. You find them in the sink submerged in water, ruined. Your husband tells you only he and God get to decide when you have more children, and "you must really hate your kids to want to use these pills" which the children overhear. What do you do, stay or move?

To Those at Home

#3. A few weeks later you have plans to go to the children's school play. Your husband becomes angry at how much money you spent on the kid's costumes. He starts yelling at you. He tells the kids that you are "ungrateful" and "stupid".

Then he tells Raphael he better not grow-up and marry a “dumb slut like his mother is”. Monica starts to cry, and you hear your son telling her “Shut up or I will give you something to cry about,” something that he hears his father say to you a lot. What do you do, stay or move?

To Those at Home

#4. A co-worker called your cell phone while you were at home. Your husband answered your phone. He accuses you of cheating and begins checking the call log for unknown numbers. He then breaks the phone and throws it at you. He says you can no longer have a cell phone. What do you do, stay or move?

RING BELL “Remember, whenever the bell is rung, you must pay again or move to another location. If you run out of resources, you may return home or choose to become homeless.”

To Those at Home

#5. You secretly buy another phone, but your daughter accidentally tells your husband. As punishment, your husband takes a pair of scissors and cuts up all your professional clothes. What do you do, stay or move?

To Everyone

#6. You confide in a co-worker and tell her about some of your husband’s behaviors. She tells you that you should go to court and get a protection order that will make your husband stay away from you.

You decide to try to get an order, but when you get to the courthouse, there are no signs, and you wander around. Finally you ask, and are told you need to go to the Domestic Relations Court in another location. You are now late for work, so you are unable to go to the correct courthouse.

RING BELL “Remember, whenever the bell is rung, you must pay again or move to another location. If you run out of resources, return home for the rest of the exercise.”

To Everyone

#8 You see your husband in his car when you’re at work, and when you are in other places like the store. He doesn’t try very hard to hide that he is watching you. He calls you constantly during the workday. Your supervisor warns you again that you’re distracted and not paying attention to customers. Do you stay or do you go?

To Those at Home

#9. Tonight, your husband asks you why you never want to have sex anymore and you ignore him. He accuses you again of cheating on him with your coworker. He grabs you, drags you into the bedroom and forces you to have sex. Afterwards you are too upset to leave the bedroom. Monica calls you for a while outside your bedroom, but you ignore her and scream at Raphael to take care of her. Your husband lovingly consoles Monica and takes the kids to the arcade.

To Those at Home

10 Three days later, on your day off, you decide to try again to get a protection order, so you go to the Domestic Relations Court and file for the order.

There are no signs, eventually you ask someone to direct you to the right office. The form the clerk gives you is difficult to understand and no one is available to help you. You write down the threats and how your husband grabbed and dragged you to the bedroom but you are too embarrassed to add the sexual assault.

The clerk asks if you are applying for an “ex parte emergency order” but you do not know what this means. You tell the clerk you want your husband to stay away from you. You aren’t sure how to fill out the papers.

You see the judge, which was very scary. But you are happy when the judge grants a temporary order. The order includes a stay away provision for your husband, removal of your husband from the primary residence, removal of all his weapons, and prohibits your husband from further contact with you of a violent or harassing nature. A final order hearing is set for 14 days from today.

The clerk gives you a copy and says “your husband will be served” and gives you an information sheet. You are a little worried that what you wrote may be given to your husband and you do not know how or when it will be sent. You do not know what “service” means. All the information and paperwork is a bit overwhelming.

When you leave the courthouse, you think you see your husband’s car turning the corner. You find your car tires have been slashed. You go back inside and tell the security officers, but no one offers anything except to call a repair garage.

To Those Not at Home

#11. Your husband begins to stalk you.-You see his car across the street from your job. He calls your office phone constantly while you are working. Your manager

tells you if this doesn't stop, she is going to have to fire you. After work you stop by the grocery store to get dinner. Your husband comes up to you in the store and asks you to come home. You ignore him and quickly leave the store. He follows you outside, pushes you against the car and begins to yell at you. A car drives by slowly. He lets go of you and leaves. You don't know if you should call the police.

To Those at Home

#12. You tell your husband you have a court order, and it does not let him stay in the home with you. He yells at you that this is his house, and he will not leave. He warns you not to keep his kids from him or you will be sorry. You go to the neighbor's house and call the police. The police arrive but your husband has left the house. You show them the order, but they tell you it cannot be enforced because your husband has not been served and there is no evidence he is aware of the terms of the order. What do you do, stay or go somewhere else?

To Those at Home

#14. At breakfast, you can't find the puppy. Later that morning you find the dog badly injured, bleeding, and beat up, and your husband sends a 'laughing' emoji via text to you. Do you go to court to request a dismissal of the order?

To Everyone with a temporary protection order

#15. At the hearing your husband does not show up and the case is adjourned for two weeks. The court clerk explains that the temporary order is still in effect but that your husband was not served so there will be another hearing. You try to explain that you do not think you will be able to get off work again on the hearing date. The court clerk says there is nothing she can do; those are the dates the court always uses. You are worried that your husband will not stay away from the home. What do you do, stay at home with the protection order or go somewhere else?

RING BELL "Remember, whenever the bell is rung, you must pay again or move to another location. If you run out of resources, return home for the rest of the exercise."

To those at your friend's house

#16. One night you overhear your friend's husband asking when you are going to leave. Their house is too small to have three extra people in it. Your friend says she 'needs to talk to you tomorrow', and you know you all must leave. What do you do, stay or move?

To Everyone with a temporary protection order

#17. One week later, your husband was served with the order. He sent you a text that he can do much worse than just slap you around and “your days are numbered” if you do not drop the order. The next day you see his car pass by your work and your tires have been slashed.

RING BELL “Remember, whenever the bell is rung, you must pay again or move to another location. If you run out of resources, return home for the rest of the exercise.”

To Everyone with a temporary protection order

18. You go to court on the adjourned date with the children as you have no sitter for them and it’s a school holiday. When you check in you are horrified to see that your new apartment address has been made public and your husband has it. You see your husband in the waiting area. He keeps coming up, trying to talk to you again and again and you keep moving away. He starts to raise his voice across the waiting room. No one intervenes to help you or stop him, and you don’t see any security. You are afraid of him and how he is upsetting the children.

You brought screen shots of the text messages your husband sent to your phone. Based on your screenshots the court grants the protection order allowing for visitation with the children with exchange at your mother-in-law’s house. The judge temporarily forbids him from returning to your residence and he must stay away from you. He is also not allowed to contact you except as it pertains to the children. The court does not ask about the weapons which you know your husband hasn’t turned in.

#19. You both leave the courthouse at the same time, but he follows you to your car, and tears up the Order. This is in view of the security officer at the front door.

To Those at Home Without a Protection Order

#20. One Friday night, he takes the shotgun out of the closet, lays it on the kitchen table, starts drinking and threatens to kill you in your sleep. What do you do, stay or move?

#21. You have not slept in five days. You keep the kids home from school again because you could not get them there on time. The school principal calls to say they have exceeded the allowable sick days. Your boss apologizes but says your performance has deteriorated such that she can no longer employ you. What do you do, stay or move?

RING BELL “Remember, whenever the bell is rung, you must pay again or move to another location. If you run out of resources, return home for the rest of the exercise.”

To Everyone

#22. Your husband is 30 minutes late returning the children from their visitation. You have not heard from him, and he is not answering his cell phone. The court is closed, and you do not have an attorney, so you are not sure what to do. When your husband shows up with the kids he says if you drop the order, you will never have to worry about the kids again. He says, “as you can see, I can still do whatever I want to you.” Do you dismiss the order?

To Everyone

#23. Your husband called today to say that he picked up the kids early from school and you better get your ass back home now and meet him or you’ll never see them again. What do you do, stay or move?

Follow the exercise with time to discuss what participants felt and experienced.

Large Group Debrief [SLIDES 20-22]

Faculty will debrief the exercise in the large group using the following questions as guidance, with the focus on the survivor’s experience:

- How did it feel to make these choices?
- How many sought a dismissal of the protection order? Why? Why not?
- How did your interactions with the court feel?
- What forms of abuse were you exposed to in your role?
- At what points did you sense an increase in danger to yourself? In other words, what risk factors stood out for you?

- For your children?

Mini-Lecture and Final Section Learning Points. Faculty concludes this section with the following mini-lecture and learning points.

III. DOMESTIC VIOLENCE: DEFINITIONS AND CONTEXT [SLIDES 23-40]

Segment Focus. What is the definition of domestic violence? What is the nature and context of abuse and the impact on the victim/family? Context is the key to identifying intimate partner violence as well as determining the nature of the abuse (coercive controlling, reactive, situational), how the violence has affected the family, and the risks or dangerousness the violence indicates.

Domestic Violence Defined.⁵ [Slide 24]

- Domestic violence is a pattern of abusive behavior in any relationship;
- Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender.
- Domestic violence affects people of all socioeconomic backgrounds and education levels.
- Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.
- Additional factors can indicate particularly vulnerable situations for domestic violence, such as people with disabilities, older adults, LGBTQ relationships, immigration abuse, undocumented status, teen dating, and trafficking. (Faculty may provide examples here.)

Domestic Violence Under the Law and in Courts⁶ [Slides 25-27]

- Individual state laws vary on what legally constitutes domestic violence.

⁵ <http://www.justice.gov/ovw/domestic-violence>, U.S. Department of Justice, Office on Violence Against Women.

⁶ *A Guide to Domestic Violence Cases*, National Association for Court Management. 2017.

- The definition of domestic violence just presented addresses the sociological behavioral definition of domestic violence.
- That definition is narrower in some ways and broader in other ways than the legal definition of domestic violence under most state statutes:
 - It is broader than the law in that it includes behavior that might not be a crime under the law, *i.e.*, financial abuse, mental abuse, technological abuse, etc.
 - It is narrower than the law in that courts will encounter many cases labeled “domestic violence” under the criminal law that do not fit the above definition. In other words, while an act may be a crime, the offender’s motivation and the impact on the victim may be very different depending on the circumstances in each case. In part, this is because the legal system is “incident-based” and domestic violence is often a pattern of abuse.
- There may be a spectrum of behavior, especially depending on varying levels of risk. (Faculty may provide examples here from the clips the participants watched, including escalating violence, victim blaming, child witnessing violence and/or impact on the family dynamic.)

Battering/Coercive Control. (Handout 1)⁷ [Slides 28-29]

- Domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.
- Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person.
- This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. (Faculty should refer to their answers from the free-think and video exercises).
- Distinguishing features of coercive control include:

⁷ The Power and Control Wheel, developed by the Domestic Abuse Intervention Project in Duluth, identifies the various kinds of behaviors that are used by batterers to gain power and control over their victims. There are adaptations of this.

- Power and control tactics
- Entitlement to control
- Separation and challenge to authority are triggers
- Escalation
- Most often male perpetrated on female.

Domestic Violence in Context. [Slide 30] Faculty notes that when we think of violence against intimate partners, we are often thinking transactionally or about an incident, *i.e.*, an assault occurred, a threat was made, *etc.* This makes sense because the law is formulated based on this transactional view. However, when we think strictly about an incident, and not on the larger context of the relationship of these parties to each other and these parties to the world, we may miss opportunities not only to provide for the safety of victims and their families but to identify potential risks. A deeper understanding of the dynamics of domestic violence is a useful tool to helping courts and multidisciplinary teams understand the potential dangers of domestic violence-related incidents in and around their courts.

- Typologies research and our experience teaches us that, as the nature and context of the abuse can vary, so can the implications and risks associated with that abuse. We think of context as being about intent, meaning, and effect (who is doing what to whom and with what effect).

Context is Critical.⁸ [Slide 31]

- Measurement of violent acts alone cannot provide the whole picture.
- Failing to distinguish one kind of domestic abuser from another can:
 - Endanger victims of ongoing violence.
 - Embolden perpetrators of ongoing violence.
 - Place families and others, including courts, at risk.

⁸ Learning points from this point until final learning points for this lecture were adapted for this audience from *Enhancing Skills in Judicial Leadership*, National Council of Juvenile and Family Court Judges.

Context Means. [Slides 32]

- Intent, Meaning and Effect: Who is doing what to whom and with what impact? (These are the questions considered for each video clip.)
- Context means placing a litigant within the sphere of their whole lives and circumstances rather than taking one piece of their life and making assumptions about how that piece interacts with everything else happening to them:
 - Cultural norms
 - Social status/privilege/access
 - Institutional systems
 - Socioeconomic status or economic independence
- Context is not meant to excuse responsibility for criminal behavior.

Determining Context. [Slides 33-34]

- Two examples of behaviors based on the C&G couple, to illustrate how to assess context using intent, meaning, and effect

Contexts for domestic violence/ three categories of violent offenders. [Slide 35]

- Battering/Coercive Control: patterned use of violence, intimidation, and coercion to establish dominance
- Resistive/Reactive: violence produced and shaped by abuse
- Violence not involving coercive control (*e.g.*, “situational,”): violence not linked to establishing an ongoing relationship of dominance

How Do We Determine the Context for This Act of Violence? (Intent, Meaning, Effect). [Slide 36]

- Information from parties
- History of violence
- Existence of pattern of intimidation and threats
- Intent and meaning of violence to victim
- Risk assessment (we will discuss this more later)
- Information from others

What Makes Domestic Violence Cases Challenging? [Slides 37-38]

- Since domestic violence is often cyclical in nature, courts will frequently see the same litigants and/or families appearing in court, yet the level of risk and specific safety concerns may fluctuate, contributing to the “revolving door.”
- Difficult for courts to contextualize litigants that don’t fall within the “traditional” victim narrative, such as women of color that don’t present as sympathetic victims, LGBTQIA+ victims that don’t fit into preconceived ideas of domestic violence dynamics, victims who don’t show up to subsequent court dates, victims who want to co-parent, victim-abusers and other violent behavior by women, namely justice-involved women who are particularly susceptible. (Faculty may provide other examples here, considering the previous input from the group.)
- Issues of litigation abuse and the “race to the courthouse” or other court-based services like legal aid, etc.
- Finally, and perhaps most pervasively, there are societal elements of patriarchy and privilege that feed into coercive control (other examples: *#MeToo*, gender dynamics, etc., which make reporting difficult as well as litigating DV cases).
- Therefore, understanding the context in which violent acts occur is critical in determining appropriate interventions and safety planning for court.

Preview: Relationship between coercive control and risk [Slides 38-40]

- Coercive control associated with a higher risk of ongoing severe and lethal violence
- “[H]ighlights the seriousness of this type of IPV, regardless of the other forms of violence experienced.” [From Dichter, et al., “Coercive Control in Intimate Partner Violence: Relationship with Women’s Experience of Violence, Use of Violence, and Danger,” *Psychol. Violence* (2018)]
- “We conclude that coercive control is the ‘golden thread’ running through risk identification and assessment for domestic violence and that risk assessment tools structured around coercive control can help police

officers move beyond an ‘incident-by-incident’ response and toward identifying the dangerous patterns of behavior that precede domestic homicide.” [From Myhill and Hohl, “The ‘Golden Thread’: Coercive Control and Risk Assessment for Domestic Violence,” *J Interpers Violence* (2019)

Final Points.⁹ [Slide 41]

- Not all violence is the same—it is important to grasp the complexity of domestic violence to enhance our capacity for empathetic responses and services as well as risk identification.
- It is important to recognize “coercive control” in domestic violence cases and to understand how this type of relationship might affect the cases in their courtrooms.
- Domestic violence often involves a complex pattern of behavior, and sometimes it is difficult to determine the actual dynamics between parties.
- Caution is advised. “While critics concur that not all violence is the same—rather it is important to assess the context of violent acts—they do not generally endorse differentiation of violence into various types, or they consider it premature to do so. They are wary of the unintended negative consequences of the deployment of typologies, especially the misuse of information from the assessment and dangers of incorrect categorization.”¹⁰
- With an understanding of how a power-and-control dynamic can impact the behaviors of both parties, the court staff will be able to focus on safety for the parties and court staff as well as procedural justice for both victims and abusers.

⁹ *A Guide to Domestic Violence Cases*, National Association for Court Management. 2017.

¹⁰ *Id.*

IV. DEBRIEF OF COMINGS AND GOINGS FROM PARTICIPANTS' PROFESSIONAL ROLES [SLIDES 43-45]

Faculty assigns participants to small groups, each consisting of a single disciplinary cohort (based on those present) to discuss the following questions: **[Slide 44]**

From the perspective of your professional role:

- What stood out for you in terms of the survivor's interactions with the court and other systems?
- What **risk factors** would you (in your professional role) have seen/known about? the survivor's experience?
- Who should also know about the risk?

After several minutes of discussion, faculty leads a debrief during which each table reports back on the questions from their disciplinary perspective. **[Slide 45].**

Report-back: each discipline shares its responses to three key questions:

1. What risk factors are present in the case?
2. Which, if any, of these risk factors would you (in your professional role) have seen or learned about, and how?
3. Which other professional group should learn about the risk factors?

[Note for faculty: this segment demonstrates that each professional discipline has access to different information regarding risk factors, that each has a different understanding of which factors indicate relative risk (some may not know about the risk factors at all), and that communication of risk information is critical. In subsequent exercises, participants will discuss barriers to risk communication and how to overcome them, especially through a co-created protocol for communication.]

Faculty share with participants that we will be moving to an exploration of the evidence-based risk factors next, and then will take up how risk information is effectively shared later today, when we discuss the “W” in DV AWARE—Warning.

MODULE 4. ANALYSIS AND WARNING: RISK AWARENESS AND COMMUNICATION

- I. Description, Introduction and Learning Objectives**
- II. Awareness of Risk**
- III. Risk Identification and Response Planning**
- IV. Communications Planning and Implementation**
- V. Collaboration and Action Planning**

ANALYSIS: RISK AWARENESS

I. MODULE INTRODUCTION AND REVIEW OF LEARNING OBJECTIVES [SLIDES 46-47]

Using video, brief lectures, discussions, and exercises, this module will help participants increase awareness and understanding of danger, risks, and/or threats to their courts from domestic violence-related violence, including the contexts in which violence may occur, as well as strategies to analyze and communicate those risks effectively to their court and community.

Faculty notes that the previous module focused on the importance of viewing intimate partner violence in context to properly understand, consider, and address safety for victims, their families, and courts. We spent some time discussing how the contextual understanding of domestic violence relates to identification of risk. This module focuses directly on analyzing those risks. With a deeper understanding of the dynamics of domestic violence, courts and their partners can develop systemic and strategic plans to increase awareness of and respond to the potential dangers of domestic violence-related incidents in and around their courts and communicate effectively with their court and community about those dangers.

[Slide 47] Faculty presents the learning objectives. *As a result of this module, learners will be better able to:*

- *Analyze the risks posed to their court and appraise the gaps and barriers in their court's systems and plans.*
- *Structure their court's risk assessment and communications systems to adapt and respond to identified risks.*
- *Implement a systemic response strategy that incorporates best practices and procedures.*

II. AWARENESS OF RISK [SLIDES 48-70]

Faculty opens the segment [Slide 48] by asking, “*What do we mean by risk? How do we increase our understanding and awareness of risks posed to individuals, courts, and others related to domestic violence? How can we use that understanding to increase our awareness of domestic violence-related risks to individuals, courts, and those within the courts?*” Faculty explains that the focus of this module will be addressing those questions.

A. Defining Your Terms.

Think and Share Exercise and Lecture [Slides 49-51]

Faculty begins the segment with an individual free-think session to allow each person to think about risk, dangerousness, and threats. (**Faculty Note:** Faculty prepares whiteboards or flip charts, each with a category that aligns with the participants’ roles in the court/system: judges, court administrators, advocates, security, etc. After providing time for each participant to answer the questions about risk, participants are asked to share out their answers while faculty notes those answers on a flip chart or whiteboard, using the chart or board that corresponds to the role of the person responding. Faculty should take the time to note the answers from each of the court system roles represented in the room. The purpose of this exercise is to identify how people within the court and different groups within the court may understand and describe risk, threat, or dangerousness related to domestic violence, and then to begin a discussion about those terms (as well as lethality) and how they are understood and applied.)

Think and Share Exercise. Faculty starts the exercise by reminding participants of Module 3's discussion of domestic violence dynamics and context, noting that it touched briefly on how those dynamics relate to risks, threat, and dangerousness to the victim and to the court. They explain that before looking more deeply at strategies to identify and respond to risks, it is important to understand and define our terms. Faculty explains that we will engage in an exercise, starting with an individual free-think and concluding with a large group share, with the goal of helping us do that.

Faculty asks the participants to take five minutes at their tables, working on their own, to consider and write down their responses to the following questions [Slide 49]:

- *What do you think of when you hear the term "risk"?*
- *Is it the same or different from "dangerousness," "threat," or "lethality"? Please explain.*
- *For domestic violence-related incidents, where do you see risk?*
- *Whom do you consider most at risk? Who else should be considered?*

After the five minutes are up, faculty asks the participants to share with the larger group the answers to the questions and notes the answers on the flip charts or whiteboards, organized based on the role of the person responding,

Faculty provides another five minutes to engage the participants in a discussion about their individual lists, prompting the discussion by identifying similarities, themes, and differences in their considerations of the terms associated with risk and asking the participants to explain more about their answers and their perception of risk.

Lecture. [Slides 50-51] Faculty wraps up the exercise by highlighting the areas of agreement between and among the different groups regarding their

understanding of what constitutes risk, threat, dangerousness, or lethality as well as assessments of who and what are part of the risks identified.

Faculty explains that for the purposes of this training:

- The focus of the training and this segment is to understand and analyze domestic violence-related risk:
 - To the victim
 - To the victim's and/or abuser's families
 - To the judges, court staff, and anyone within the proximity of the court
 - To the courtroom, court facility, and/or grounds
 - To the justice system (perception of access to justice/fairness, etc.)
 - All delivered in some way by the perpetrator of the domestic violence

(Faculty Note. Participants may discuss or faculty may want to address any danger or risk to defendant (perpetrator, claimant, etc.) as part of the risks that courts must consider. Victims, family members, etc., have attacked defendants in courts.)

- We are using the term “risk” as broadly as possible, as a situation involving exposure or possible exposure to danger, injury, harm, death, or loss. We may also use the terms “dangerousness,” “threat,” or “lethality” as synonymous with risk.
- Risk is also the degree of probability of that danger, injury, harm, death, or loss will occur.
- There are two types of domestic violence-related risks: non-targeted and targeted. Non-targeted is impulsive, unplanned, and spontaneous—an emotional reaction to a situation. Targeted is planned.

Faculty tells participants that we will use the groups' discussion about defining risks to look at barriers to risk awareness and response, starting with the different ways that people identify those risks.

**B. How We Process What We See: Risk Awareness
Videos, Lectures, and Large Group Exercises [Slides 52-]**

Segment Focus: How do our lenses affect how we take in facts, process them, and assign them meaning? How does that influence our ability to identify, understand, and analyze risk in this context?

**1. Identity and Risk
Lecture and Large Group Discussion (10 MIN) [Slides 52-54]**

Faculty begins the segment by asking the group to reflect on the Think and Share exercise in the previous segment, and to focus on the differences in the way they each identified or discussed risk, threat, or dangerousness. Faculty asks the participants to discuss the following questions **[Slide 53]**:

- *How do you think your role or “identity” within the system affects your “lens” with respect to seeing or identifying risk?*
- *With risks, threats, or dangerousness related to domestic violence?*

(Faculty Note. The focus of this discussion is on each individual participant's “lens” within a court and its impact on his or her identification of risk, threats, and dangerousness. The goal is to introduce the idea of bias and culture and its impacts through this initial discussion, first recognizing our lenses and then moving the discussion towards these lenses are part of our identity or culture, which is dynamic, changing over time, and encompassing many attributes of identity beyond race or ethnicity. Faculty emphasizes the point that everyone has culture. The discussion will also focus on the realization that the court has a culture of its own with rules, practices, and language. Each of the offices or agencies represented in the room likewise have their own culture that may seem

strange to those outside that group.) Faculty facilitates a large group discussion of the questions and concludes the exercise with some final points: **[Slide 54]**

- Everyone has a wealth of experiences and groups they belong to.
- This lends each person a unique culture, which affects the lenses we use to view the world.
- Victims, judges, courts, court systems and jurisdictions each have unique cultures and subcultures.
- They can contain contradictory, multi-faceted, and often-changing elements.
- Acknowledgement and understanding of these cultures and their differences and commonalities are central to how we identify and understand risk.

2. Bias and Risk

Video and Large Group Share [Slides 55-60]

Next, faculty plays a video **[Slide 55]** titled, “A Father Confronts His Own Bias,” telling participants the video is a YouTube© clip from a television news broadcaster based in northern California.

<https://www.youtube.com/watch?v=WhEHOD3ZW9U>

Faculty then prompts a large group discussion by asking the following **[Slide 56]**:

- *Can you identify with this story?*
- *Have you had experiences like this?*
- *For those who have ever jumped to a conclusion, what would you have done differently?*

Faculty finishes the segment with a mini lecture regarding our view of the world and the impact of that view on how we see and understand risk, which includes the following points:

- We are powerfully guided by the things we expect to see in the world.
- The unconscious mind processes vastly more information than our conscious mind by using shortcuts.
- The human mind naturally organizes ideas into categories based on experiences and observations.
- People are wedded to the idea that we can perceive things objectively, but you must be conscious of the bias that you have in order to see the facts.
- Stereotypes are generalized images we have about groups of people, particularly about their underlying psychological characteristics or personality traits. All stereotypes are generalizations, but all generalizations are not stereotypes
- Prejudice is the tendency for an individual to prejudge others, negatively or positively, based on their group membership.
- Bias implies a distortion of judgment in favor of or against a person or thing. It can be conscious or unconscious.
- The videos and exercises from this segment are designed to provide some insight into how everyone may be impacted by misinformation, bias, or “stereotypes” about certain groups and/or behavior. This includes victims, abusers, domestic violence dynamics, LGBTQIA+, our court-based roles, and racial/ethnic groups.
- Misinformation comes to us from many sources.
- Certain aspects of a particular culture may be true of individuals or families within a particular space and time, but these aspects are not always true for everyone from that group, always, or in all locations.
- Focusing on one or more aspects of a group and holding the generalization to be true of all aspects makes it difficult to truly assess the circumstances of a case and the risk it presents.
- We must find other, more reliable means of predicting future dangerousness and risk.
- To process facts without the limiting implications of bias:
 - slow down decision-making

- reconsider reasons for decisions
- question stereotypes
- use the support of your peers to check for bias

C. What We Know About Domestic Violence-Related Risks to the Victim and Children

Lecture and Large Group Exercise [Slides 61-68]

Faculty starts the segment with a mini-lecture with information about domestic violence-related risks to individuals and courts that starts with the fact that domestic violence-related cases before the court never have **no** risk and includes the following points.

Known Risk Factors in Domestic Violence Cases. [Slide 62]

- Threats of suicide or murder. In the vast majority of cases in which women are killed, the perpetrator first threatened her life or his own. Often the perpetrator commits suicide after killing the victim and children. The more specific the threat, the more seriously it should be viewed.
- Access to weapons. A risk of lethal violence has been associated with the perpetrator's access to or possession of weapons.
- Separation and loss of control in the relationship. Women who leave their perpetrators are at greater risk of being killed as the perpetrator loses that sense of control.
- Use of drugs and alcohol.
- Escalation of violence. Studies show that an escalation of violence can also indicate increased dangerousness.
- Victim belief that offender is capable of lethality.

Strangulation: Serious Implications in Domestic Violence Cases. (Handout 5) [Slide 63]

- One of the strongest predictors for the subsequent homicide of victims of domestic violence.

- Stranglers of women are the most likely to kill police officers in critical incident encounters, and they are often the mass shooters in this country.¹¹
- Congress made non-fatal strangulation a stand-alone, serious felony under VAWA in 2013 with a maximum of a ten-year prison sentence and added non-fatal strangulation to the Uniform Code of Military Justice as a felony in 2019.¹²
- Most states have passed laws, most in the past decade, making strangulation assault a felony.¹³

Disproportionate Impacts [Slides 64-65]

- Domestic violence disproportionately affects women and women of color.¹⁴
- American Indian and Alaskan Native women experience domestic violence at rates far higher than their numbers within the population and when compared to women of any other ethnicity.¹⁵
- 45.1% of Black women experience intimate partner sexual violence and/or intimate partner stalking in their lifetimes, and an estimated 51.3% of black adult female homicides are related to intimate partner violence.¹⁶

¹¹ Gwinn, C., “Men Who Strangle Women Also Kill Cops”, Domestic Violence Report, Volume 7, Number 3 (2015), 197-199 (3). See also <https://www.bwjp.org/assets/3.-gwinn-plenary-strangulation.-dealing-with-the-mos.pdf>.

¹² <https://www.allianceforhope.com/reauthorization-of-the-violence-against-women-act-in-2021-and-the-implications-for-its-restorative-practice-and-diversion-provisions/>.

¹³ *Id.*

¹⁴ <https://www.cdc.gov/violenceprevention/pdf/2015data-brief508.pdf>.

¹⁵ *Id.* See also

https://assets.speakcdn.com/assets/2497/american_indian_and_alaskan_native_women_dv.pdf; <https://ncadv.org/STATISTICS>.

¹⁶ Smith, S.G., Chen, J., Basile, K.C., Gilbert, L.K., Merrick, M.T., Patel, N., Walling, M., & Jain, A. (2017). The national intimate partner and sexual violence survey (NISVS): 2010-2012 state report. Atlanta: National Center for Injury Prevention and Control, Centers for Disease Control and Prevention. See also Petrosky, E., Blair, J.M., Betz, C.J., Fowler, K.A., Jack, S.P.D., & Lyons, B.H. (2017). Racial and ethnic differences in homicides of adult women and the role of intimate partner violence - United States, 2003-2014. MMWR. Morbidity and Mortality Weekly Report, 66(28), 741-746.

- Although women are far more likely to be victims of domestic violence than men, 1 in 4 men have been physically abused (slapped, pushed, shoved) by an intimate partner and 1 in 7 men have been severely physically abused (hit with a fist or hard object, kicked, slammed against something, strangled, burned, etc.) by an intimate partner at some point in their lifetime. Men of color are also overrepresented in these numbers.¹⁷
- These numbers also likely are undercounted, as members of marginalized communities are less likely to report their victimization, including domestic violence victimization, and due to a lack of comprehensive data on missing and murdered Native American and Alaskan Indian women.¹⁸

Possession of Firearms. [Slide 66]

- Abused women are five times more likely to be killed by their abuser if the abuser owns a firearm.¹⁹
- When thinking about safety of the community, a study by Everytown for Gun Safety of every identifiable mass shooting (shooting in which four or more people were murdered) between January 2009 and December 2016 found that 54% of them involved the killing of a family member or a current or former intimate partner of the shooter.²⁰

Other Factors to Consider. [Slides 67-68]

- History of abuse
- Other risk/lethality factors (*e.g.*, obsessive jealousy, stalking, fear that he can't live without her, threats)

¹⁷ Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J. & Stevens, M. (2011). The national intimate partner and sexual violence survey: 2010 summary report.

¹⁸ See *supra*, notes 4, 5, 6, & 7. See also <https://www.uihi.org/wp-content/uploads/2018/11/Missing-and-Murdered-Indigenous-Women-and-Girls-Report.pdf>.

¹⁹ <https://efsgv.org/learn/type-of-gun-violence/domestic-violence-and-firearms/>.

²⁰ Gold, Liza H., "Domestic Violence, Firearms, and Mass Shootings," *Journal of the American Academy of Psychiatry and the Law*, (Feb. 2020), <http://jaapl.org/content/early/2020/02/05/JAAPL.003929-20>; see also

- Impact of a court's order on the financial and practical lives of the victim and any children involved
- Custody orders and child access issues
- Nature of present and past incidents (*e.g.*, interventions, severity of incident, injury, escalation from prior incidents)
- Defendant's history (*e.g.*, compliance with court orders or treatment, police record/calls for service, existing court orders)
- Pre-incident indicators (PINS) such as pace of relationship, anniversary dates, new relationship, expectations, contacting others as part of control, and temperament
- Behavioral change stressors. It is likely that a domestic abuser is not triggered by just one event. There are several touchstones that someone on the pathway to violence may cross that helps spark additional risk/escalation including homicidal thinking and behaviors. Triggers can come from family and home, religion or ideology, finances, workplace, community, and health and wellness, and so can inhibitors.
- Incidents of stalking, sexual violence, strangulation, pet abuse, jealousy, and threats with firearms are indicators of increased risk of dangerousness and lethal violence.
- Factors such as these, and others, can help alert victims that their safety is at risk and that they should consult an advocate for safety planning.
- Knowledge of these factors should also inform a judge's decision-making regarding provisions in orders that may enhance safety.
- These safety considerations should inform all aspects of your decision-making regarding risk awareness and warning.

(Faculty Note: It is important to discuss the difference in dangerousness factors and lethality factors. Make sure a connection between stalking and dangerousness is made.)

D. What We Know About Domestic Violence-Related Risks to the Courts and Others

Lecture [Slides 69-82]

[Slide 69] What We Know About Domestic Violence-Related Risks to the Courts and Others

[Slide 70] Ways Risk Shows Up for Judicial Officers (In and Out of Court)

[Slide 71] Faculty presents the learning objectives. As a result of this section, learners will be better able to:

- Understand the impact of domestic violence on the court (and community) through the lens of **A**nalysis, **W**arning, **A**ction, **R**ecovery and **E**ngagement

[Slide 72] The Data

- National Coalition Against Domestic Violence
- National Institute of Health
- United States Secret Service
- Training Institute on Strangulation
Lehigh University

[Slide 73] American Judges Association

Procedural fairness is a key ingredient in public satisfaction:

“The perception of unfair or unequal treatment is the single most important source of popular dissatisfaction with the American legal system.”

[Slide 74] Risk Awareness and Communication

- Awareness of risk
- Risk identification and response planning
- Communications planning and implementation

[Slide 75] Beyond the Courthouse

- Who in your community interacts with DV-related litigants?
- When and where do they have interactions?
- Where and how do those interactions overlap with others (e.g., departments, services, etc.) within the community and inside the courthouse?

[Slide 76] Two Modes of Aggression When Awareness/Planning/Training Comes into Play

Affective Violence

- Referred to as reactive, impulsive, or emotional violence
- Preceded by autonomic arousal, caused by a reaction to a perceived threat
- It is defensive violence
- Courtrooms

Targeted Violence

- Referred to as instrumental or premeditated violence
- Absence of autonomic arousal and emotion, the absence of imminent threat
- It is offensive violence
- Home, commute, known locations

[Slide 77] What Drives Impromptu Violence

- Fairness Elements
- Expectation
- Frustration
- Anxiety
- Resentment
- Drugs/alcohol
- Mental Instability

[Slide 78] Triggers and Pathway Behaviors

Discuss graphic from: “Pathway to Violence”
Frederick Calhoun and Stephen Weston

[Slide 79] Situational Awareness

- “That’s off” “doesn’t look right”
- Using ALL your senses to notice deviations to a norm
- Helps make sound, conscious and safe decisions
- Recognize the baseline

[Slide 80] Targeted Violence to Judges – How and Where?

- Known Locations
- Home
- Parking
- Commute
- Social Media

[Slide 81] Personally Identifiable Information

“The first thing my beloved internet gave me was your address.”

-Joe Goldberg, Netflix series *YOU*

[Slide 82] If You Feel Something Do Something

Faculty closes the segment by pointing out that court operations pose inherent risks that can never be eliminated, but with the appropriate training and protocols, security incidents within the courtroom and beyond can be minimized or mitigated.)

Faculty closes the segment by pointing out that court operations pose inherent risks that can never be eliminated, but with the appropriate training and protocols, security incidents within the courtroom and beyond can be minimized or mitigated.)

WARNING: RISK AWARENESS and COMMUNICATION [Slides 83-84]

Faculty explain that we are moving into the “W” of DV AWARE: Warning, and that this segment will explore:

- How risk is identified
- Who identifies risk
- Communication of risk information: impediments and overcoming them.

E.Recommending a Strategic Approach to Risk Awareness

Lecture [Slides 86-90]

Faculty states that after considering the different ways to define risk and the issues that can arise with our identification or awareness of risk, approaching risk awareness strategically and systematically can help courts and multidisciplinary teams better understand the potential dangers of domestic violence related incidents in and around their courts and therefore analyze and respond to those risks. They provide a lecture that includes the following points:

- Courts and their partners can use a systemic process for both risk assessment and communication that:
 - Considers the risk posed by individuals, the risks to individuals (such as the victim and/or third parties) and the risks to a court's facility/campus;
 - Accounts for actual resources available within a court and community;
 - Accounts for court culture and perception regarding requests for security (*e.g.*, not having good management of courtroom); and
 - Accounts for actual bias, the appearance of bias, and the fear of appearance of bias.
- A systemic approach looks at the actual history of violence used by a domestic violence perpetrator and its effects on the individual victim(s) in order to increase awareness of potential and actual risk.
- It incorporates the use of available tools and resources, such as available assessments, data, blueprints, plans, and training.
- It employs a collaborative partnership model—the whole court community involvement as stakeholders—to help identify/analyze/communicate threats and encompasses the range of experiences and knowledge available.
- It can incorporate specific community-based concerns, such as addressing reporting concerns without causing extreme response.

- allow for adaptation and response to situations not anticipated, which can help avoid assumptions about WHO the threat is just based on the petition, the person, etc. (avoidance of bias).
- As with victim safety, courthouse safety and security is a complex issue and there is no single solution. A framework with clear direction, alignment of initiatives, and efficacy measurement mechanisms must be implemented.

Faculty closes the segment by stating that in the next segment, we will look more closely at what strategic approaches may look like.

III. RISK IDENTIFICATION AND RESPONSE PLANNING (HANDOUT 6) [SLIDES 91-99]

Segment Focus: How can courts develop plans to identify and respond to the risks or dangerousness that domestic violence indicates? What are the tools and factors available for courts in developing systemic approaches to risk identification and response? What does a risk identification and response plan look like?

A. Risk Identification Tools

Lecture and Large Group Share (Handout 6) [Slides 91-99]

Faculty begins the segment by stating that there are several different validated clinical assessment tools out there regarding dangerousness, risk, lethality, and threats, including those aimed specifically at domestic violence. Examples of some of those have been listed in the Handouts provided for the training. They explain that we will examine some of those different tools in terms of what they contain and how they approach identifying and responding to risk and then look generally at what some common elements of such tools are. **(Faculty Note:** The purpose of this segment is not to recommend a particular tool, but to provide some of the basic ideas, components, benefits, and limits of such assessment tools to allow

participants to start thinking about the types of risk identification tools they might use and what that would include. Participants are provided Handout 6, which contains samples of risk and threat assessment tools.)

Large Group Share Exercise. [Slide 91] Faculty then asks the participants to share with the large group their experience with any risk, threat, or dangerousness assessments either in their current court practice or otherwise. Some prompting questions include:

- *Have you (court, law enforcement, advocate, other) ever used a risk assessment tool? For domestic violence-related risks? If so, which tool?*
- *Have you ever administered a danger or risk assessment in your work? If so, which assessment?*
- *What is your experience with such assessments and their use by the court? Do you find them to be useful?*

Faculty engages a discussion among the group about their experiences with risk assessments and their use to identify experience and knowledge in the room regarding these tools. Faculty closes the discussion by stating that assessments are one tool for courts that can and should be used as part of a toolkit of resources aimed at identifying and responding to risks, including risk response planning.

Defining our Terms. Lecture. [Slides 91-98] Faculty provides a lecture on what threat/danger/lethality or risk assessment tools are and do as well as some of their benefits and limitations, including the following points:

What are assessment tools? [Slides 92-93]

- Behavioral assessments designed to show the assessor what the likelihood of violence can be from a perpetrator.

- Conducting these kinds of assessments can help mitigate risk to the victim and all others in the courthouse because it should inform everyone of the potential for further violence.
- It includes a series of questions and then compares the current constellation of factors to expert opinion and to past cases in which the outcome is known. The process can include interviews and other information gathering.
- The assessment can then report whether the current situation is most like cases that escalated, or most like cases that did not escalate.
- Assessments can be part of a process that includes development of a plan that:
 - Determination of what the immediate action should be,
 - An objective data gathering process,
 - Development or reinforcement of a safety net for the at-risk, and
 - Long-term monitoring.
- Threat assessment tools include Jackie Campbell’s Danger Assessment, MOSAIC, DA, ODARA, etc.

Limitations and Benefits with Assessments [Slides 94-97]

Limitations [94-95]

- Professionals conducting risk assessments must be trained. Courts cannot have unskilled individuals conduct a risk assessment on a domestic violence case.
- The tools may be different or used in different roles by varying professionals.
- The research is based on past incidents—it is impossible to measure future risk of recidivism and/or lethality accurately.
- Propensity towards “false positives”—assessments may categorize circumstances as higher risk than reality. **But also:** an absence of these lethality markers does not mean a victim is **not** at high risk.
- Domestic violence cases are complicated and cannot be easily categorized: risk categories are not static or definite.

- Potential issues with bias—criminogenic factors can be skewed against some demographics.
- Analogy: they do not prescribe a cure but will assist in the diagnosis.
- They are prevention-focused not prediction-focused.

Benefits [Slides 96-97]

- Assessments can inform decisions on prosecution, conditions of release, and sentencing, as well as conditions on orders for civil cases.
- Standardized risk assessment tools allow greater coordination and awareness throughout a system and prevent risk-related information from falling through the cracks.
- Categorizing domestic violence cases into high, medium, and low risk allows your court/community to efficiently prioritize resources for each case.
- Understanding risk facilitates more effective safety planning.
- Risk assessment tools facilitate safety, helping victim understand risk levels.
- Assessments can validate intuition.
- A standardized approach is a consistent approach that helps eliminate bias and provides an objective lens.
- It can help triage cases and focus energy and resources.

Why is this information important to your work?²¹ [Slide 98]

- Court security should be informed of specific cases and trained on general cases with a heightened lethality risk.
- Courthouse policies and procedures can be developed to increase coordination between different agencies.
- Advocates who work in a courthouse can administer risk and lethality assessment protocols to victims who appear for protective orders or with the offenders for criminal cases to determine whether the victim is at high risk and safety plan accordingly.

²¹ *A Guide to Domestic Violence Cases*, National Association for Court Management, p. 13. 2017.

- Consider whether it is appropriate to share risk information with the judicial officer about a case that poses safety concerns. Balance the need for neutrality against the need for judicial officer to know for courtroom safety purposes.

IV. COMMUNICATIONS PLANNING AND IMPLEMENTATION

Application of Analysis and Warning: Risk Awareness and Communication

Small Group Exercise [Slides 100-101]

Exercise Focus. This segment encourages participants to recognize that professionals in different disciplines have unique opportunities to learn about the risk posed by a particular perpetrator and case and that communication of that information, governed by applicable professional constraints (principally confidentiality and neutrality), is critical to eliminating or mitigating the risk. The discussions set participants up to think about the elements of a risk communication protocol.

Note: Faculty should consider adapting the exercise to the group that is present at the training, in terms of disciplinary representation. If an important cohort is missing, faculty could explain that the missing cohort should be factored into the discussion even though not present. Ideally, court administration (leadership and litigant-facing, judicial officers, attorneys, advocates (system and community-based), court security, law enforcement, prosecutors, and others would be present for the discussion—all have an opportunity to see or learn about risk factors present in a case.

Faculty begin the exercise by asking discipline-specific small groups to choose from a set of facts from the Comings and Goings exercise for further discussion exploring potential risk factors and how the information could be shared with others. Specifically, participants discuss the following questions:

For the set of facts chosen by the group:

- **What** information indicates risk?
- **With whom** would you share the information, including risk information?
- **How would you share the information?**
- **What barriers** are there to sharing the information?
- How could you overcome those barriers?

The disciplinary cohorts discuss the questions and prepare to report back during the debrief in the section that follows.

Consider for the exercise: start within discipline cohort to identify what that discipline perceives about the risks, and discuss with whom they would like to share and what the impediments are to sharing, as well as strategies for sharing

- Faculty describes what we'll be discussing the next day: Overcoming barriers to communication (including protocols/MOUs to foster communication) and planning (response and recovery steps) [So they think about this overnight]

ANALYSIS AND WARNING: RISK AWARENESS AND COMMUNICATION (CONT.)

Faculty begin day two by welcoming participants back and devoting 5-10 mins to a temperature-check, a participant-led conversation about any questions or observation they may have on the program so far.

Faculty move next to a debrief/report out by the disciplinary groups' discussion of the questions on **[Slide 106]**. During the debrief, faculty and staff listen for themes and then use them as discussion points (e.g., confidentiality comes up as a barrier—foster conversation about how this can be overcome as an impediment).

Faculty next transition to a discussion about the importance of developing and refining a risk communication plan or protocol, and work with participants to draw from their small-group discussions to explore some key elements of such a plan/protocol. Faculty should ask whether any participants currently have a

plan/protocol in place and to briefly describe some of the key elements they include.

Teaching points for the discussion:

- Though there are barriers to communication, they can be readily overcome--disabuse myths about barriers to communication and encourage open and frank conversations among the key stakeholder disciplines.
- Even the slightest change in one group's protocols may have unintended effect on others; how do you plan and mitigate that—"thank you, I am sorry—didn't realize that it would have this effect on you, how can we work together to meet our goals while respecting our mutual roles, perspectives, and professional constraints?"

Faculty close out the segment with a mini lecture [**Slides 96-100**] on planning for effective risk communication, including the following points:

- Communications planning should be included in a court's strategic approach to risk awareness and response.
- One of the most important mitigation steps is to warn all people in the court of an active threat so they can take immediate protective measures.
- Design communication strategies that:
 - Keep your environment and facility in mind, including the physical grounds and layout, access points and communications points.
 - Consider the court's public operations information (*i.e.*, the sharing of hearing dates and locations, including virtual/from home).
 - Address who a stakeholder or member of the public tells, how is that shared, and when is that shared.
 - Consider language and other accessibility concerns and uses both verbal and other methods (such as signage).
 - Contain practical communication steps, such as ensuring that a bailiff (or other staff) in the courtroom can communicate/warn outside the room about potential for danger.

- Include communications before, during, and after an event, designed to reach all, and include proactive preparations with families.
- Communications on safety should be immediate and appropriate.
- Those receiving safety communications should take appropriate action in a timely manner to enhance safety.

Finally, faculty encourages participants to go back and create a protocol or assess the ones they have with today's discussion in mind.

Risk Response Planning – Enhancing Safety in Your Courthouse.

Video and Lecture. (Handout 8) [Slide 114-115] Faculty informs the participants that they will view a short video focusing on court security in domestic violence cases that highlights the need for security planning and coordination for the safety of victims and the court.

<https://www.youtube.com/watch?v=SpDKbqAZwJI>

Faculty Note. After the video, faculty continues the lecture, focusing on the elements and considerations in developing effective domestic violence-related risk identification and response plans. Faculty breaks up the lecture by engaging participants on the examples and asking if they can offer others from their experience or from any plans they have developed.

Prevention, Protection, Mitigation, Analysis, Response, and Recovery. [Slides 116-124]

- Effective risk identification and response plans address court safety both for the victim and for the court itself. Such plans should include the following elements and considerations:
 - Prevention: how to avoid, prevent, or stop an incident:
 - ✓ Identify pre-incident indicators before an incident happens.

- ✓ Use tools in your toolbox to mitigate someone's escalating behavior and the physical security risk to the court/room.
- ✓ Consideration of the contact offenders had with court and what was observed.
- ✓ Examples: including the creation of separate waiting and seating areas for victims and abuser or (depending on physical space limitations) requiring the abuser to wait in a designated area in the courtroom, *e.g.*, the first row of visitor seating while the victim sits in the area furthest away and out-of-sight of the first row.
- Protection: protect people and assets. In addition to steps that could be taken to protect the victims outside the court (*e.g.*, safety planning):
 - ✓ There are many layers to security and corresponding roles and responsibilities.
 - ✓ Security measures that are designed to deter, detect, deny and delay an adversary.
 - ✓ Establish security options appropriate for your occupancy, considering how your building's design may affect your protection issues or response planning, and examining appropriate policies and procedures regarding an active threat.
 - ✓ Examine your facility from the perspective of the threatener and consider barriers to accessing areas of the facility(ies).
 - ✓ Develop a safety plan for cases when an injunction is violated, a victim is threatened, or there is an emergency in the courtroom (*e.g.*, an evacuation).
 - ✓ Establish a procedure to ensure surrender of firearm(s).
 - ✓ Establish procedures for entering protective orders into centralized database(s)—local, state, national (*e.g.*, National Crime Information Center (NCIC))—to increase enforcement of orders across jurisdictional lines and prohibit an individual who

is the subject of such an order from purchasing a gun or qualifying for a permit to carry a concealed weapon.

- ✓ Examples: courts can implement the use of code words in court cases with known risks, where there is a change in behavior, or when something indicates trouble. Code words can be developed for the victim and, separately, for the court staff, judge, and sheriff for anyone to pause the hearing in a covert way, *i.e.*, stating something like “we need an administrative recess,” which alerts staff of a potential issue. Victims should be allowed to exit the courthouse before the abuser, preferably with a security escort. If a security escort is not available, departure times from the courtroom should be staggered to give the victim sufficient time to get to transportation while the abuser remains in the courtroom under monitoring.

- Mitigation: reduce loss of life and property:
 - Includes any actions to prevent or lessen the impact of an active threat incident.
 - Options should be part of the broad-based planning team discussion to get a wide array of input into appropriate actions.
 - Warning all people in the court of a potential or active threat.
 - This includes the prevention measures, de-escalation techniques, and physical security considerations.
 - Examples: to prevent escalation, courts can provide opportunities for remote participation for victims, if appropriate, and limit the requirement for victims to attend court if possible.

(Faculty Note. Faculty informs participants that the next segment will focus more on warning.)

- Analyze incident data for all types of cases:

- What types of data are available to the court and its partners to assess risks?
- What kind of post-incident review occurs?

Faculty Instructions. Faculty refers to prior segment discussions of risk awareness and assessment and engages the participants here on analysis as part of risk planning regarding any completed risk assessments.

- Response to an incident as it is happening:
 - Planning for an ongoing incident.
 - Identifying the chain of command.
 - Consideration of how a threat is communicated and to whom.
 - Understanding how first responders access the building and the challenges for first responders' access.

(Faculty Note. The next module on Action will discuss the active response more specifically. Recovery and Engagement will be covered specifically in Module 6.)

Recovery following an incident. How to develop a plan that is resourced, implemented, exercised, and evaluated:

- Review your current resources and procedures.
- Develop and/or include any incidents review team, including fatality review.
- Develop a risk identification process that includes searching social media before key hearings.
- Provide clarity for what can be done in each role, including who should be involved and when.
- Balance reporting requirements/process and duties to clients/impartiality.
- An effective plan cannot be developed in a vacuum with the input of only one or two people, or senior management alone.
- The plan should consider the overall courthouse model and each operational department, functional team, working group, or

committee encompassing the full sweep of departments, job descriptions, and employee status.

- The plan should consider any jurisdictional issues.
- Invite others to review the plan.

The judicial role in planning:

- Plans specifically should include the judge, including the ability to recognize escalating behavior and knowing how to de-escalate, hitting a duress alarm, having additional security personnel in the courtroom (based on the assessment), redundant security screening outside the court door (based on the assessment), exiting the bench and securing themselves in chambers, not carrying a gun on the bench, etc.
- Consideration should be given to how/when to inform a judicial officer regarding cases with a high degree of risk/dangerousness, balancing neutrality concerns against need for judicial officer to know for courtroom safety purposes.
- Judges are making life and death decisions in certain cases, and judicial leadership is needed to support awareness of risk, including where risk of lethality is high and perpetrators have a history of contempt or non-compliance.
- Judges are in the unique position to stimulate community collaboration and participation in the enhancement or creation of supervised visitation and safe exchange services, batterer intervention services, and other coordination and community services for domestic violence cases.

Faculty closes the lecture and the segment with these final points:

- Like with risk awareness, risk planning and response should include a systematic review of protocols, practices, and spaces.
- It requires collaborative work, identifying a team, forming a common framework, defining and assigning roles, and setting a regular meeting schedule.

- Improved communication and collaboration amongst system professionals could help increase risk awareness and planning and thereby increase safety for children and their families as well as court systems and the professionals within them.
- Whatever the status of your plan, it is important to conduct regular training and education for court security and court staff on domestic violence and safety issues and response.

(**Faculty Note.** Included in the Handout packets (**Handout 8**) are resources for courts and their partners regarding development of risk management and security plans.)

V. **COLLABORATION AND ACTION PLANNING. [SLIDES 125- 127]**

Collaboration Exercise [Slide 126] (Handout 9)

Faculty provides participants with the **Handout** for this exercise and instructs them to take some time **individually** to answer the questions provided regarding collaboration, focusing on the information discussed in this module regarding analysis and warning of domestic violence-related risks when formulating their answers.

Risk Awareness and Response Self-Inventory [Slide 127]

Faculty provides the participants with clean flip charts and asks them to think back to their answers to the questions about their experience and use of risk/threat/danger assessment plans as well as their earlier court mapping exercises. Faculty asks the group to start to inventory any current tools or plans have been developed by the court and/or its stakeholders and are available to the team as part of a strategic approach to risk awareness and response planning.

MODULE 5. ACTION: RESPONDING EFFECTIVELY TO VIOLENCE

- I. Description, Introduction, and Learning Objectives
- II. Elements of an Action Protocol
- III. Communicate, Drill, Review, and Repeat

ACTION: RESPONDING EFFECTIVELY TO VIOLENCE

I. MODULE INTRODUCTION AND REVIEW OF LEARNING OBJECTIVES [SLIDES 128-129]

Using video, brief lectures, discussions, and exercises, this module will help participants consider effective plans and protocols for action in response to domestic violence-related risks and incidents.

Faculty notes that the previous module focused on understanding and analyzing domestic violence-related risks to increase awareness of and preparedness for potential domestic violence-related incidents in and around courts. It also discussed the development of systemic and strategic risk response plans as a way for courts and their partners to address risk. This module focuses directly on an essential element of those plans—action, or the immediate response to domestic violence-related dangers/events.

[Slide 129] Faculty then presents the learning objectives. *As a result of this module, learners will be better able to:*

- *Evaluate emergency response resources among and between agencies/systems.*
- *Appraise the gaps and barriers in their courts' response systems and plans.*
- *Formulate and implement effective response plans and protocols.*

II. ELEMENTS OF AN ACTION PROTOCOL [SLIDES 130-142]

[Slide 131] Faculty begins the segment by referencing the points made in the module on analysis and warning, including:

- Identifying and categorizing domestic violence-related risks,
- Using standardized assessment tools, and
- Adopting a strategic approach to risk planning that includes greater coordination, awareness, and more effective safety planning.

Faculty states that we will now focus on an element of strategic risk planning: action. How should courts' plans for domestic violence-related risks prepare and provide for action in response to an incident? What does an action plan look like?

A. What is Your Action Plan?

Large Group Share Exercise. [Slide 132]

Faculty explains that active threat policies and protocols, depending on a court, may fall under a general Occupant Emergency Plan (OEP), which are for active threat, fire, flood, earthquake, tornado, etc. Such plans also could be part of an individual department's or program's procedures or developed through some other method such as statewide emergency planning. They could also be included within any existing security plan or procedure used by the court. **(Faculty Note:** The focus of this exercise is to facilitate a discussion about current security practices, if any, within the court or community of participants, and whether and how those security plans might include any action or response plans for violent incidents at the court. It will also help identify community security resources for

the court and experience and knowledge in the room about different existing plans the participants are aware of or have experience implementing.)

Faculty asks the participants to share out to the large group their knowledge and experience with court security plans and action plans (either in their individual departments/programs or for the court as a whole). Some prompting questions include **[Slide 132]**:

- *What does your court security currently look like?*
- *Does your court have a security plan? If so, does that include any action plan for response to an incident?*
- *Have you (court, law enforcement, advocate, other) ever had any specific threat/incident action plan developed? If so, is it a general plan? Does it include consideration of domestic violence-related risks? If so, please explain.*
- *Who oversees any security planning for your department, program, etc.?*

Faculty can use flip charts to note the answers and inventory current security and/or any existing action plans. Faculty engages in a discussion among the group about their court security and any experiences with action plans and how they have been used. Faculty closes the discussion by stating that we will engage in some exercises to help them think about and improve action planning.

B. Elements of an Action Plan

Lecture [Slides 134-142]

Faculty begins with the need to understand resources for action **[Slide 134]**, then closes out the large group exercise with a lecture regarding what an action plan looks like, including the following points:

- **[Slide 135]** Your action plan should:
 - Identify your chain of command,
 - Describe your capabilities to address saving lives,
 - Meet basic human needs for safety, and
 - Provide for protecting property and the environment.
- **[Slide 136]** Be mindful of both the phased approach to incident management and other special considerations.
- To organize these capabilities in your plan, think back to the elements of the strategic planning for risk and use the same elements to guide you.
 - Prevention: how do you avoid, prevent, or stop an incident?
 - Protection: how do you protect people and assets?
 - Mitigation: how do you reduce loss of life and property?
 - Response: how do you save lives and protect property?
 - Recovery: how do you restore and strengthen the court and community?
- **[Slide 137]** Consider the types of domestic violence-related risks: non-targeted and targeted and the strategies that might be used for action in response to both. (Reminder: Non-targeted is impulsive, unplanned, and spontaneous—an emotional reaction to a situation. Targeted is planned.)
- Like the other parts of your planning, identify your collaborative partners and their roles.
- Form a planning team, which may consist of operations management and leadership from functions including clerk of court, judge, human resources, risk management, security and safety directors, general counsel, maintenance or facilities, engineering, advocates, community partners, and other staff as appropriate to ensure consideration of the full breadth of your operations and business lines. Buy in at the leadership level is key to obtaining approval and dissemination.
- **[Slide 138]** The plan should consider the overall courthouse model and each operational department, functional team, working group, or committee encompassing the full sweep of departments, job descriptions, and employee status.

- Plan for evacuation and whether the evacuation routes/spaces protected (*e.g.*, judges have an evacuation area. Are all the judges in one vulnerable space?). This includes the understanding of roles—emergency responders like police train and practice for this, and they need judges/staff to follow instructions and any evacuation/response plan (*e.g.*, evacuate immediately or shelter based on the plan, do NOT STOP TO HELP unless specifically included in that plan).
- **[Slide 139]** Incorporate and integrate the analysis and warning systems into the plan, including how early signs/risks (*e.g.*, judges' addresses listed publicly) are recognized and reported/shared.
- Incorporate existing security into your plans. Depending on your court and community, your security and corresponding roles and responsibilities may include layers designed to deter, detect, deny, and delay an adversary.
 - Layered security slows an intruder, providing hurdles to make it progressively more difficult for them to reach their intended target or to escape undetected.
 - Consider code words and duress alarms, having additional security personnel in the courtroom (based on any risk assessment), and redundant security screening outside the court door.
- **[Slide 140]** Examine appropriate policies and procedures needed to secure the organization and its stakeholders against an active threat.
- Special considerations may include emphasis on a property location or a specific facility, the priority departments or functional areas, and the key roles and duties of significant personnel who will be key to implementing the plan in a real-world event.
- **[Slide 141]** Incorporate mapping into your plan:
 - Know your families and who is in your courthouse, including staff, consultants, and their roles.
 - Plan for all the ways the court facility is used. (*e.g.*, conference spaces, self-represented litigants in DV workshops, common filing areas).

- Facility(ies) realities and design, including security challenges, should be integrated into plans and include details like keeping blinds open and not blacking out office windows.
 - ✓ Examine your facility from the perspective of the threatener— how would they gain access to your facility? What barriers are there to reach areas of the facility?
 - ✓ Where and how should first responders access the building? What challenges does your design have for first responders?
- **[Slide 142]** Plan for the human element:
 - Action plans should consider that staff or even judges may have triggers and react accordingly.
 - Understand and plan for disabilities and/or access and functional needs persons. Consider visitors, children, and multiple languages. Actively involve and integrate individuals’ needs in the plan development and review.
 - This is more than just about assistance: it includes ensuring people are working with one another to plan and gain the knowledge to independently get out of harm’s way.
- Strengthen your plan by inviting others to review, evaluate it against a variety of scenarios, conduct exercises to evaluate your plan, and role-play the adversary’s point of view.

C. The Framework for Countering a Threat
Video and Large Group Exercises [Slides 143-147]

Faculty explains that courthouse safety and security is a complex issue and there are no single solutions. A framework with clear direction, alignment of initiatives and efficacy measurement mechanisms must be implemented.

Video and Large Group Discussion. [Slide 144] Faculty starts by telling participants they will watch a short video clip of a courtroom incident related to a domestic violence matter. Faculty explains that the video clip is from a show called “Court Cam” and takes place in Las Vegas, Nevada, at a bond revocation

hearing for criminal charges that arose from his actions in a divorce and custody proceeding.

<https://www.youtube.com/watch?v=HZh30qUuD2I>

(Faculty Note: The complete video is not shown. The clip is played from 44:23 to 49:02.) After the video clip, Faculty engages the participants in a discussion of the incident they just viewed, facilitating the participants' assessment of the incident and the response to the defendant's actions by the court and those present, using the following questions **[Slide 145]** to prompt the discussion:

- *How would you assess the response to the incident? By law enforcement? The judge? The attorneys? The others in the courtroom?*
- *What part of the response was effective?*
- *What could have been done better?*
- *What were the ongoing risks during the incident? To whom? Could the defendant have grabbed a weapon?*

The goal of the discussion is to have participants start thinking about the immediate response to active threats within a court environment in order to move the discussion to how active threats related to domestic violence can be responded to in their court and community.

Large Group Exercise and Discussion. [Slide 146] Faculty next asks the participants to work as a large group to imagine that the incident in the video is happening in their court and using the enhanced map they developed at the beginning of the segment, discuss their response/action, using the flip charts provided to help them work through the plan for action. **(Faculty Note:** If there is a security or action plan in place with any of the groups present, faculty should encourage those familiar with it/them to share the details and how it might apply. The slide shown during this exercise is used as a prompt. It shows the "Threat Decision-Making Hopper." Flip charts should be arranged in the room, each one

having a different focus on the element of an action plan as follows. The questions after each element can be used as prompts for the discussion.)

- *Prevention: how might the incident been avoided, prevented, or stopped?*
- *Protection: how might you protect people and assets?*
- *Mitigation: how do you reduce loss of life and property?*
- *Response: how do you save lives and protect property?*
- *Recovery: how do you restore, strengthen the court and community?*

Faculty closes the segment with the final learning points:

- **[Slide 147]** An effective active threat plan cannot be developed in a vacuum.
- Absent the assistance of operational departments and the input of employees who may be on the front line and confronted with the event, the plan will fall short.
- It is also important for the planning team to include input from first responders, law enforcement, and EMS personnel as the plan is being developed.
- Include the landlord, other tenants, and neighboring businesses who may contribute and add value to the plan development.
- Include community members and those who use the court in order to assure their use of the court is taken into consideration.

III. COMMUNICATE, DRILL, REVIEW, AND REPEAT. [SLIDES 148-156]

Faculty tells participants that once an incident occurs, we are one step away from warning and into action, with an active threat in the court/room/house. How a violent outburst started (and who started it) is not relevant to action as you are now putting a plan in use in real time. Some of the essential elements of an action plan should be considered separately and as part of a cycle of continuous improvement. During a domestic violence-related incident in a court, what happens? And how do you use your plan not only to respond in the moment, but after an incident to assess and improve in order to better provide for safety?

**A. Know the Chain of Command
Think and Large Group Mapping [Slide 149]**

Segment Focus: How do you, or could you, communicate an emergency?
What is the chain of command? How do the different chains work together?

Individual/Group Think & Large Group Mapping. Faculty begins the segment by explaining that like with Module 4's discussion of communication, we will focus on the communication again, this time regarding an emergency in real time. Communication during an active threat incident is specific and should be understood as within a chain of command structure. (**Faculty Note:** This exercise starts with individuals working on their own or working together as part of a group, depending on who is present. The exercise includes the mapping of the chain of command for individual offices, departments, or programs and then engaging in a large group discussion to use those maps to develop a new chain of command regarding an active incident. If the trainees include more than one person from a particular department or program, they can work together to develop their map. If there is only one person present from a department, that person can work on their own.)

Faculty asks participants to either work individually or in small groups depending on their various departments and/or programs, *i.e.* participants are grouped into their various departments and programs but if there is only one person from a department, that person works alone. Each are provided a flip chart and 5 minutes to develop a chart showing the chain of command within their department or program. This can include the human resources chart and/or any chart or chain of command structure they may have developed for any emergency plan, *e.g.*, OEP, fire, security, safety, etc.

At the end of the 5 minutes, faculty provides 7-10 minutes for each person or small group to explain their chain of command chart to the large group.

Faculty next instructs participants to work as a large group. Participants are provided 10 minutes to create another chart, using a clean flip chart to develop a plan for how the various chains of command can be integrated so that the communication of an incident is clear. Faculty can help facilitate the discussion by referring to the earlier video exercise and using that incident as a starting point for the discussion of the chain of communication necessary to both communicate the threat and start the process of action/response. Some prompting questions for the discussion and development of the chart include **[Slide 149-150]**:

- *If you call 911 from the court, who are you calling? Where do they show up? Would any security be informed?*
- *If you push a panic button, what happens? Who is notified of the threat and who is not?*

B. Communicate, Drill, Review, and Repeat
Video, Large Group Share, and Lecture [Slides 151-156]

Faculty begins by asking the participants to share their experiences with emergency drills generally and as part of their court/community's domestic violence-related or other security or emergency action plans. Faculty may use the following prompts **[Slide 151]**:

- *Have you ever participated in an emergency drill?*
- *What was the drill for?*
- *How was the plan for that drill communicated?*
- *Who is in charge of communicating to staff about where to go? Who communicates to community members?*
- *How often does your program/department/court engage in drills?*
- *Is there any debrief after a drill to identify or discuss its success and/or improvements?*

(Faculty Note: Post-incident review and communication will be discussed more fully in Module 6 on Recovery and Engagement.) After providing 5-7 minutes for

participants to share out their experiences, faculty provides a short lecture, closing out the segment and making the following points:

- **[Slide 152]** As a part of effective action planning, it is necessary to communicate, drill, review, and repeat.
- Communication to all staff/personnel about not only the plan itself, but also the elements of that plan that pertain to them, is crucial. Do all staff, partners, agencies, etc. know who to approach? How to report an incident? Does everyone know their role in the event of an emergency? Are evacuation and other response procedures clear and shared among departments and programs?
- Drilling on a regular basis reinforces an action plan, ensuring better communication and knowledge of that plan as well as improving your response and therefore the safety of those in the courts.
- **[Slide 153]** Drilling and communication are part of an effective review process, designed to provide for continual improvement and thereby increase safety.
- Design a process that includes review with an eye towards continuous improvement:
 - Debrief after an event and refine based on experience,
 - Review prior drills and refine your procedures,
 - Communicate diligently and on an on-going basis regarding effectiveness and issues, and
 - Continue training and discussion of safety.
- **[Slide 154]** Review of an incident from a strategic perspective can highlight key aspects of an incident and its key phases:
 - “Prior to” (Pre-),
 - “During” (Trans-), and
 - “After” (Post-) the event.
- **[Slide 155]** Review can include more analysis of pre-incident behaviors, escalation or adaptation of methods, tactics, complexities of societal impacts, behavioral issues, and some common elements.
- This process requires collaboration:

- identify the team,
 - Form a common framework,
 - Define and assign roles, and
 - Determine a meeting schedule.
- **[Slide 156]** Meet with responders to determine how best to coordinate actions, including having a liaison from the organization designated to assist responders with information on the facility and occupants. Work with support groups to identify appropriate recovery actions and recovery resources for immediate and long-term support.
 - Also consider communication with the community, including media, about ongoing incidents. This may include continued media briefings. Coordination with any incident command post or jurisdictional authority is a significant part of the public information response. Assign roles and coordinate one media message. Include stakeholders in the message prior to its release to the public.

MODULE 6. RECOVERY AND ENGAGEMENT: COMMUNITY HEALING

- I. Description, Introduction and Learning Objectives**
- II. Trauma and Trauma-Responsive Systems**
- III. Recovery Strategies: Focusing on Safety, Healing, and Community**
- IV. Collaboration and Action Planning**

RECOVERY AND ENGAGEMENT: COMMUNITY HEALING

I. INTRODUCTION AND REVIEW OF LEARNING OBJECTIVES

[SLIDES 158-159]

Using brief lectures, video, discussions, and exercises, this module helps participants consider and develop strategies for recovery after a domestic violence-related incident affecting a court and community, including the community engagement that is a critical component of healing.

Faculty begins by telling participants that after a domestic violence-related incident, courts and communities have multiple and sometimes competing needs such as cleaning up and repairing the physical spaces, providing medical and support services to victims, interviewing witnesses and others that directly experienced the violence, and communicating with the public. Longer-term needs include effective review of the incident response, the provision of additional/continuing support services to those directly affected, the expansion of those services to others within the community, collaborative community engagement, and the implementation of trauma-responsive steps for healing.

Recovery is a process that requires balancing these needs, reflecting on an event—how it happened, why, the nature of the response and how it could improve, and how to mitigate or prevent a similar event in the future. This

module focuses on developing and implementing collaborative recovery strategies that include healing, safety, access, and community engagement.

[Slide 159] Faculty presents the learning objectives. *As a result of this module, learners will be better able to:*

- *Use available resources to design and implement collaborative short- and long-term recovery strategies that support confidentiality, healing, safety, and community.*
- *Engage effectively in a trauma-responsive way with staff and the public about any incident.*
- *Assemble a balanced and ongoing process and approach to recovery and engagement that considers safety, access, facility, and environment.*

II. TRAUMA AND TRAUMA-RESPONSIVE SYSTEMS. (HANDOUT 13) [SLIDES 160-179]

Segment Focus. What do we mean by trauma? What are trauma-responsive systems? How do we understand trauma in the context of community (both the court community and the larger community impacted by violence?) Understanding trauma and trauma-responsive practices are keys to designing and implementing recovery and engagement strategies that effectively address a domestic violence-related incident. **[Slides 161-162] (Faculty Note:** Because engagement is an essential element of recovery, both recovery and engagement will be discussed and considered together throughout this segment.)

Faculty tell participants that after a violent incident, the impact on individuals can include a range of emotions: from relief to anger, hope to fear, and confidence in the system to ineptitude. Individual reactions will vary depending on multiple factors, including but not limited to how close the incident affected them personally, their previous trauma, their resilience, their experiences with the system, and their expectations. The reactions of systems and communities to a traumatic event and the ensuing trauma response can facilitate healing and

recovery or can be re-traumatizing. Recovery from an incident, both personal and systemic, should focus first on an understanding and implementation of trauma and trauma-responsive strategies such as honesty, transparency, continuous engagement with community stakeholders, and a sincere desire to improve the system's response.

A. What Do We Mean by Trauma?

Video and Large Group Share (20 MIN) [Slides 163-165]

Faculty states that to plan and implement effective recovery from a domestic violence-related traumatic event, first we must understand trauma. Though the term trauma can be used to refer to an event, *i.e.*, an incident like the domestic violence-related violence discussed in the training, trauma is also a natural response to unnatural circumstances that triggers neurological and behavioral reactions.

Video. (9 MIN) [Slide 164] Faculty introduces the video titled, “Trauma and the Nervous System ...” from the Trauma Foundation, explaining that the video provides a basic introduction to trauma and an overview of how trauma affects our nervous system, which in turn impacts our behavior, health and well-being. **(Faculty Note:** The full title of the video includes reference to “Polyvagal Theory,” which has some controversy associated with it. The video is not used in support of the theory, but to provide a compressed explanation of the effects of trauma on the brain, the nervous system, and behavior.)

<https://www.youtube.com/watch?v=ZdIQRxwT1I0>

Large Group Share. After the video, **[Slide 165]** faculty asks participants to share their thoughts regarding the impacts of trauma with the following prompt/questions:

- *Have you seen trauma responses from litigants before the court? How about with domestic violence-related matters?*

- *Have you seen trauma responses from judges, court staff, and others who work in and around the court?*
- *How do you think trauma impacts a court's/community's recovery from a violent incident?*

Faculty does not need to record the responses, and instead should use the prompts to encourage the group to share their thoughts about the nature of trauma and trauma-responsive behaviors they have experience with. Faculty closes the discussion by providing a lecture with additional information about trauma and trauma response.

B. Trauma and Trauma Response

Lecture [Slides 166-170]

Using examples from the video and tying in the information from the Large Group Share, faculty provides a lecture on trauma and its impacts that includes the following points/information. (**Faculty Note:** Faculty should quickly cover points that participants themselves drew from previous modules and exercises in the training and spend more time on those that were not included or discussed.)

[Slide 166] Common reactions to trauma include (From the U.S. Department of Veterans Affairs):

- Losing *hope* for the future
- Feeling distant (*detached*) or losing a sense of concern about others
- Being unable to *concentrate* or make decisions
- Feeling *jumpy* and getting startled easily at sudden noises
- Feeling *on guard* and alert all the time
- Having *dreams* and memories that upset you
- Having *problems* at work or school
- *Avoiding* people, places and things related to the event

Trauma can include physical symptoms: **[Slide 167]**

- Stomach upset and trouble eating
- Trouble sleeping and feeling very tired

- Pounding heart, rapid breathing, feeling shaky
- Sweating
- Severe headache if thinking of the event
- Not keeping up with exercise, diet, safe sex or—regular health care
- Smoking more, using alcohol or drugs more, or eating too much
- Having your ongoing medical problems get worse

Trauma can include emotional symptoms: **[Slide 168]**

- Feeling nervous, helpless, fearful, sad
- Feeling shocked, numb, or not able to feel love or joy
- Being irritable or having angry outbursts
- Getting easily upset or agitated
- Blaming yourself or having negative views of oneself or the world
- Being unable to trust others, getting into fights, or being trying to control everything
- Being withdrawn, feeling rejected, or abandoned
- Feeling detached, not wanting intimacy

Trauma theory incorporates both the external experience (what happened to the person/group) and the unique individual response to what happened. This understanding has transformed the way systems respond to trauma and work with survivors.²² Trauma can be both individual and collective **[Slide 169]:**

- Trauma can be ***individual***:
 - An individual’s experience of a threat; and
 - The individual’s response in terms of coping with an incident.
- Trauma can also be ***collective***, affecting communities as a whole: *e.g.*, cultural or historical trauma, which can impact both individuals and communities across generations.

Responses to trauma is highly individualized **[Slide 170]:**

Everyone’s experience of events or circumstances is unique, and what may be experienced as traumatic by one person may not be by another **[Slide 170]:**

²² The “Three E’s” of Trauma Theory, developed by SAMHSA are – event, experience, effect.

https://ncsacw.acf.hhs.gov/userfiles/files/SAMHSA_Trauma.pdf

- How an individual assigns meaning to and is disrupted by (physically or emotionally) an event will determine whether it is experienced as traumatic. This can be linked to a range of factors including past trauma, culture, and the availability of social support.
- Long-lasting adverse effects may occur immediately or over time, and the individual may or may not recognize the connection to a traumatic event.

Secondary or Vicarious Trauma: **[Slide 171]** What a person sees and experiences working with traumatized individuals, which takes a toll on our physical and mental wellbeing.

[Slide 172] The signs of secondary/vicarious trauma can include:

- Stress, both from individual occurrences and cumulative exposure.
- Burnout, which is the depletion of our resources, both physical and psychological, caused by our desire to achieve certain standards and expectations that are often impossible to achieve. At some point, we become overwhelmed with the knowledge that it is not possible, and cynicism, pessimism, and negativity set in.
- Compassion fatigue (or empathetic distress).
- Secondary/vicarious trauma can be a short- and long-term consequence of working with trauma victims/survivors as well as from particular events/incidents.
- The experience of court professionals can parallel (mirror) those experienced by trauma survivors.

Faculty explains that next we will look at how individuals, systems, and communities respond to trauma can facilitate healing and recovery or can be re-traumatizing. In order to develop effective recovery and engagement strategies, it is important that courts and communities understand and implement trauma-responsive practices.

C. The Basics of Trauma-Responsive Systems Videos, Lecture, and Large Group Poll [Slides 173-179]

Faculty begins by stating that in the previous segment we learned about trauma and trauma-responsive behavioral adaptations, explaining that the NCJFCJ defines a “trauma-responsive” court/system to mean a system in which environments, practices, policies, and persons limit unnecessary stress and promote healing in those who have been trauma-exposed, to include court consumers and court professionals. Faculty tells participants this segment will apply that definition to the DV AWARE framework and the focus on recovery and engagement.

Large Group Poll. Faculty asks participants to indicate by a show of hands *how many have heard of or been trained on trauma-informed or trauma-responsive practices?* Based on the responses, faculty may choose individuals to elaborate on what they know and the training they have received. The goal is to gain information not only about the level of information participants’ have about trauma-responsive practice, but also to highlight the different application of trauma-responsive principals to the different systems—court, police, advocate, etc., that are represented in the training.

Lecture. Faculty provides some foundational information about trauma-responsive practice, breaking up the lecture by showing video clips.

- **[Slide 174]** With leadership from the Substance Abuse and Mental Health Services Administration (SAMHSA) of the Department of Health and Human Services, the focus of trauma-informed responses has shifted from asking “What is **wrong** with you?” to “What **happened** to you?”
- **[Slide 175]** SAMHSA has set out the “four R’s” of trauma-responsive practice as well as six key principles:
 - The “4 R’s” are: realize, recognize, respond, and resist.
- **[Slide 176]** A trauma-informed or responsive system is one in which all parties recognize and respond to the impact of traumatic stress on those who have contact with the system.

- Programs and agencies within such a system infuse and sustain trauma awareness, knowledge, and skills into their organizational cultures, practices, and policies.
- They act in collaboration, using best practices to maximize safety, facilitate recovery, and support their ability to thrive.
- **[Slide 177]** SAMHSA has noted that “An essential component to being trauma-informed is to understand these behaviors not as character flaws or symptoms of mental illness, but as strategies ... developed to cope with the physical and emotional impact of ... trauma.”

[Slide 178] SAMSHA’s six key principles are: resiliency and recovery; understanding trauma and stress; collaboration and empowerment; compassion and dependability; safety and stability; and cultural humility and responsiveness.

D. Trauma-Responsive Practice Self-Inventory Large Group Exercise [Slide 179]

Faculty next asks participants to engage in a “self-inventory” of their trauma-responsive practices. (**Faculty Note.** For each of the steps in the exercise, Faculty should provide the group five minutes, and then move them along to the next stage.)

Faculty explains that working as a large group, participants first should identify ways their court/agency/office already incorporate trauma-responsive practice. This can include in everyone within the group’s the workplace (workplace policies/procedures), in the courtroom (with litigants and other staff), or in the court culture generally (access, environment, etc.). The large group can use flipcharts to organize and note the identified practices. Next, the group is asked to discuss the practices they identified, comparing and discussing the different ways they incorporate trauma-responsive practice into their workplace(s). Finally, participants are asked to generate and note ideas for how they can incorporate more trauma-responsive practices into any of the current practices and/or how any of their current practices may be improved.

Faculty conclude the segment by encouraging participants to continue their self-inventory and use it to explore additional strategies for developing trauma-responsive practice in their workplaces.

III. RECOVERY STRATEGIES: FOCUSING ON SAFETY, HEALING AND COMMUNITY [SLIDES 180-200]

Faculty explains that a common theme for recovery may be a return to feeling safe within the courthouse and/or community. It can include assurances to the public that those responsible for handling recovery are competent and able to handle that recovery. Like with understanding domestic violence dynamics, considering the context in which an incident occurs—the where, what, how, and other details—are key to courts and communities considering and implementing strategies, policies, and procedures guiding stakeholders in recovering from a domestic violence-related incident.

A. What Does Recovery Look Like?

Large Group Free-Think Exercise [Slide 180]

Faculty leads a free-think session to create a list of descriptors and acts the participants associate with the recovery from a traumatic incident. The ideas should not be criticized or discussed. Simply use a flip chart or whiteboard to record each answer as it is offered without any comments, notes, or questions for five minutes. Participants may build on ideas voiced by others. The recovery ideas expressed can be used as reference points throughout the rest of the segment to highlight aspects of recovery strategies.

Faculty starts the exercise by stating that one way to describe recovery is healing or the ability to live in the present without being overwhelmed by thoughts or feelings about past trauma. Recovery can be different for each individual. This is also true for each court and community. Faculty asks the participants to share their ideas on what recovery might mean to them and their community in the aftermath of a violent incident. The questions posed to the large group are:

- *What do you think recovery means in the context of a violent incident impacting a court?*
- *Who do you think is involved in the recovery process?*
- *What are the goals?*

Faculty uses whiteboards or flip charts to record themes from the large group's answers and discussion. (**Faculty Note:** The goals and themes identified should be organized and used in the following exercises as guides for the participants.) At the end of the time, faculty informs participants that next they will engage in an exploration of recovery strategically and in stages, including the short-term, the longer term, and some of the elements that may be considered by courts and communities in their strategic planning for recovery.

B. Short-Term Strategies and Focus

Lecture and Large Group Exercises (Handout 14) [Slides 181-186]

Faculty provides participants a handout containing a scenario based upon a domestic-violence related incident that occurred in a courtroom, explaining that each page of the scenario contains additional information about that incident and its impacts, which will be discussed in subsequent segments. For the first exercise, participants will read only the first page. (**Faculty Note.** The idea for this exercise is to build on the original facts involved in the described incident to examine different aspects of recovery. For instance, one set of facts will include the judge, the victim, and the perpetrator. Additional facts will be focused on employees, witnesses, and members of the public hearing about the incident.)

Scenario – The Petition Hearing. [Slide 183] Magistrate Lobato is presiding over a petition for a final civil protection order in a case involving domestic violence. The case is on the public docket and the courtroom has court staff, attorneys, advocates, and members of the public moving in and out of the chambers. The Respondent is representing himself, and while cross-examining the Petitioner, begins yelling at the Petitioner and is becoming increasingly agitated. **[Slide 184]** Magistrate Lobato does not have a bailiff in the courtroom and asks the clerk to

contact the Sheriff. Before the Sheriff can arrive, the Respondent approaches the Petitioner and physically assaults and starts to strangle her. The Respondent renders her unconscious, runs out of the courtroom, and flees the courthouse. Paramedics arrive to treat the Petitioner, who is taken to the hospital while still unconscious, and anyone else in the courtroom.

Large Group Exercise. Next, faculty asks the participants to work as a large group and use the whiteboards or flip charts provided to identify the steps needed to facilitate the court's recovery in terms of the immediate or short-term response to the incident described. (**Faculty Instructions:** Faculty should prepare the whiteboards or flip charts for this exercise with each board or chart containing one of the goals or themes identified by the group in the previous exercise. Depending on the input received, faculty may also create charts/boards with themes such as "Facility," "Outreach," "Communication," and "Other" to provide some organization guides for the participants' discussion.)

Faculty tells participants to consider the facility impact and their goals for recovery, as well as the impact to the Petitioner, Magistrate Lobato, and others within the court and/or community. Some prompting questions [**Slide 185**] can include:

- *What is the goal of short-term recovery?*
- *What might be the process for closure and re-opening of the courtroom? Who is responsible for those processes?*
- *What are the immediate steps for communication about the incident to court building staff?*
- *What are the immediate steps for communication about the incident to court staff not directly impacted? Human resources? Police?*

After several minutes, faculty asks the participants to read the second page of the handout, which contains additional details about the same incident.

Handout Scenario Facts 2 – After the Petition Hearing. [Slide 185] Present in the courtroom during the assault is Rose, the Petitioner’s advocate, as well as the Petitioner’s attorney, Janice, who works pro bono for the local domestic violence shelter. Jeff, a new judicial employee and a recently discharged veteran, was also present as he was training with the court clerk. The courthouse offices include a self-help center, and multiple staff at the center worked with the Petitioner and Rose, helping them through the process of for applying for the protection order and connecting Petitioner with local domestic violence services, including the shelter and treatment.

Large Group Exercise. [Slides 186] Faculty asks the large group to consider what these additional facts add to the steps and considerations for short-term recovery and then use the same whiteboards to work through identification of any additional immediate steps identified. Some additional prompting questions can include:

- *What are the immediate steps for communication about the incident to the self-help center? The shelter? Local advocates?*
- *What outreach is conducted to Jeff? Rose? Janice? The community?*

After several minutes, faculty asks participants to share out some of the elements that were identified by the group, highlighting and discussing elements of short-term recovery and issues that were raised or discussed.

C. What Do Short-Term Recovery Strategies Include?

Lecture

Using examples from the exercises, faculty provides a lecture quickly emphasizing points that participants themselves identified as well as any elements not discussed. Participants should be encouraged to chime in with input, ideas, or points in response to any of the learning points and questions. Faculty begins by stating that when considering short-term recovery from a violent incident, safety and normalcy are terms often used to describe the goal or focus. What needs to

be included within a recovery plan to move towards safety and normalcy for the court and the community?

- **Immediate Focus on the Impact to Court Staff.** As with any workplace violence, the impact of a domestic violence-related incident in a court both directly and indirectly impacts all court staff in some manner. Recovery planning should include considerations of:
 - What are the personnel or other policies regarding options available for staff, including time off?
 - During and after any closure, who will cover any staff responsibilities during this period?
 - How much time off do judges need? Who will cover their dockets? In smaller communities or tribal lands, how does coverage happen?
 - What are the therapeutic interventions available? Is mental health treatment available?
 - Is the treatment trauma-informed? What type of treatment? Who is providing the treatment? Who pays and what are the limitations? (*e.g.*, how many hours of treatment? Are there differences regarding treatment access for city, state, or county employees?)
 - What is the court's responsibility vis-à-vis others? Litigants, lawyers, service providers?
- **Incorporation of Trauma-Responsive Practices.** Consider and incorporate trauma-responsive models and frameworks for systems into short-term recovery strategies in order to ensure that policies, procedures, and plans:
 - Normalize human responses to trauma,
 - Shift our conceptualization of symptoms (symptoms are survival strategies),
 - Integrate multiple approaches,
 - Recognize the impact on system employees, practitioners, organizations, and systems,
 - Re-humanize the experience of de-humanization,

- Consider and incorporate SAMSHA's six key principles, and\
- Address secondary or vicarious trauma
- **Immediate Focus on the Facilities.** After an event, it is important to develop and implement concrete steps regarding the area(s) of the court impacted and considering the individual court facilities in question. (**Faculty Note.** Faculty offers an example of how quickly the area impacted by an incident is cleaned and repaired before staff has to re-enter and re-use a space.)
 - What plans are in place to provide guidance to the court and its staff for the immediate steps to recover from an incident?
 - What are the goals and timeline for short-term recovery?
 - What is the evacuation procedure and the procedure for returning to the building or any spaces within the building?
 - What is the extent of any closure? (*i.e.*, does it extend to office space?)
 - How long will the courtroom be closed? To the public? To the staff?
 - Who communicates with law enforcement about the gathering of evidence, witness statements, etc.?
 - Are there barricades or other barriers to seal or block off the public from viewing the area?
 - What is the process for clean up?
 - Who actually is responsible for the physical plant of the court? For maintaining any closure? Whose jurisdiction is it under? Tribe, city, state, or county? Are these agencies/parties within the courthouse?
 - Who is responsible for the court-related functions of the courthouse and what is their role in the procedure?
 - If an incident occurs outside of the court building, what are the physical boundaries for which the court has a responsibility?
 - Are there areas where access can be restricted without being too draconian, paranoid, impractical, or unreasonable?
 - How long will grounds/parking area be inaccessible?

- **Immediate Focus on Community.**
 - Transparency. Trauma-responsive strategies include honesty and transparency. Though there may be an inclination to hold back information out of concerns such as liability, experience tells us that things eventually surface and that living in a day of quick-moving gossip, misinformation, and social media, honesty and transparency are more likely to aid recovery.
 - Outreach. The courtroom is a public building that houses not only employees of the court system but those engaged in the judicial system such as advocates, self-help staff, and lawyers, as well as members of the public engaged in court business or within the court building for other purposes. When a domestic violence-related incident happens within a court building, part of the short-term recovery strategy should include consideration of the impacts beyond the immediate court staff and outreach to those impacted.

D. Longer Term Recovery and Engagement

Lecture, Large Group Free Think, and Large Group Exercises

Segment Focus. After the immediate or short-term responses and plans for recovery are implemented, what is included in the longer-term recovery process? How does that process incorporate not only what we know about trauma-informed response and the elements of the short-term focus, but the other elements of DV AWARE as well as Engagement?

1. Re-thinking What Recovery Looks Like

Large Group Exercises

Large Group Exercise. Faculty asks the participants to consider longer-term recovery of the court and the community from an incident such as that in the scenario. Participants can use the same whiteboards or flipcharts they worked on

for the short-term responses as a guide or use new charts/boards to work through identification of any thoughts and to organize them as they see fit. Some prompting questions include:

- *What are the differences between strategies for long-term recovery and the short term?*
- *When we shift the focus to long-term recovery, what are the additional considerations?*
- *Who is included in the planning and design of long-term recovery strategies?*

After several minutes, faculty asks for examples from each of the groups and engages in discussion with the participants, highlighting and discussing elements of the longer-term strategies and focus of recovery identified, any ideas about recovery that may have changed and what remained the same.

2. Including Community Engagement in Recovery Large Group Think and Share Exercise

Faculty informs the participants that we will use the handout scenario facts to continue the discussion on recovery in the longer-term but shift the focus to the role of community engagement in that recovery. (**Faculty Note.** The facts in the handout scenario will be used to facilitate a conversation about community dynamics in the long-term recovery process, including the discussion of bias, culture and cultural humility, procedural justice, and other challenges facing communities regarding engaging after an incident. As indicated in Footnote 5, the facts can be changed to reflect the community in which the training occurs, and therefore, the conversation on community dynamics may change based on the community's challenges and opportunities. The goal is not to provide an answer about how to address these issues within a community, but to provide an opportunity for those issues to be raised within the participant groups and discussed as part of the overall strategy and plan for long-term recovery from a domestic-violence-related incident.)

Faculty asks the participants to take a moment to consider the community described in the handout and what they think engaging with the community might look like for Magistrate Lobato and the court after the incident. After providing 2-3 minutes to consider, faculty asks participants to share with the large group their ideas regarding community engagement as part of the recovery process. Faculty may flip chart or whiteboard the input received. Some prompting questions might include:

- *Who is responsible for community engagement regarding the incident?*
- *When is that engagement conducted?*
- *What are the challenges with engaging effectively with the community described in the scenario?*
- *How does the court's engagement with the community relate to long-term recovery?*
- *Would it make a difference if there are no further judicial proceedings involving the parties to the incident?*

Faculty engages in a discussion with the large group, highlighting elements of recovery already discussed and steering the conversation towards engagement with diverse communities and those with specific challenges, *e.g.*, the tribal lands and the tribal identity of the Petitioner, using some of the discussion of bias from the previous modules as a guide.

After providing about 10 minutes for the large group discussion, faculty closes out the segment with the following points:

- If you're not caring for yourself, you won't be able to help others (*e.g.*, oxygen mask analogy)
- Court and community leaders can develop policies and assistance plans recognizing that trauma is a serious and real consequence of their work as court professionals and include in those policies a focus on the necessary

steps for short-term recovery after a domestic violence-related incident that includes those impacted directly and indirectly.

Faculty closes the segment by informing participants that we will now consider other areas of long-term recovery and engagement—post-incident review and communication.

E. Recovery and Post-Incident Review

Large Group Mini-Lecture and Discussion [Slides 187]

Faculty notes that making sense of a traumatic experience and telling the story of what happened is an important step toward healing and recovery. After an event, however, there is an impulse to find someone or some system to blame or a tendency to shift responsibility. For the purposes of developing successful recovery and engagement strategies, it is important for communities to focus on accountability and not blame.

Lecture. Faculty provides a quick lecture regarding post-incident review and its role in long-term recovery and engagement for courts and communities. Participants should be encouraged to chime in with input, ideas, or points in response to any of the learning points.

Accountability and Recovery [Slides 188-189]

- Fatality or incident reviews are a common part of recovery and engagement plans and procedures for communities impacted by violence.
- They can provide group review of an incident to consider and address questions like:
 - What pre-incident indicators could you have recognized before a court incident happened?
 - What are some available tools (for identification, prevention, mitigation, action, etc.) that were used?
 - What are some of the tools that could have been used?
 - How was the response to the incident successful?

- What elements could be improved?
- What improvements or additional policies, procedures or guidelines are needed? (*e.g.*, de-escalation, mediation, treatment, etc.)
- What are some new ideas that could be implemented?
- There are multiple guidelines and models out there for communities to use to build their own incident review methodology, plans and procedures, including those specific to domestic violence-related incidents and fatalities.²³
- Like with all other aspects of recovery, it is important to incorporate trauma-responsive practice into whatever model or procedure is adopted.
- This includes consideration of community engagement, both in the process of review itself and the communication of the findings.
- It also includes consideration of the different impacts an incident may have within a community as an element of recovery.
- The focus should not be on blame for past events, but trauma-responsive review of an incident with the goal of improvement and long-term recovery for the court and the community.
- Courts are in a novel position regarding incident reviews. A central part of court and judicial functions is impartiality and the appearance thereof, which is also of importance to effective incident review. In addition, court administration includes the development of policies and procedures, including workplace policies and procedures that are relevant to consideration of an incident and community recovery. A focus on improved courtroom culture can bolster efficiency and morale for court staff, particularly one that is in recovery.
- The goal of incident review should be a sincere desire to improve the system based upon honesty and transparency.

Faculty closes out the segment and tells participants that we will now look a little more closely at communications as part of the recovery and engagement process.

²³ See *e.g.*, <https://vawnet.org/sc/approaches-and-recommendations-fatality-review>.

F. Recovery and Communications: Effective Communications Strategies Mini-Lecture and Large Group Discussion [Slides 190-192]

Faculty starts the segment with a short lecture regarding communication in the context of recovery and engagement, including the following points.

- Woven through all of the elements of DV AWARE, including recovery and engagement, is communication.
- As we have seen in the different modules, communication can mean internal discussions, planning, warnings, and outreach as well as external communication to the community regarding an event and the response. Some of those communications are confidential and internal, while others are, and should be, public and part of a transparent public process.
- Development and implementation of effective communications strategies that incorporate the different focus areas surrounding an incident is an important element of recovery and engagement. It can assist with perceptions of safety, competence, and normalcy or damage those perceptions if done incorrectly.
- Communication with media (including any social media) outlets should be carefully considered as part of any communication strategy, which includes the initial question of who should talk to the media and who should not (or cannot) talk to the media.
 - **[Slide 192]** In many jurisdictions, the state's court administrators have in their offices people who are the sole press contact, handle social media for the judicial branch, or control public information on the website.
 - Ethical considerations may dictate who can engage with the media and the restrictions on any such communication.
 - Communicating in a manner that is concise, unclouded by legal jargon, relevant to the subject, and with an awareness of ethical restraints best serves the needs of the public.
 - **[Slide 193] Focus on Advance Recovery Planning.** Developing your recovery plan prior to an incident will greatly enhance the ability to

recover and heal. Once the plan is developed, train and re-train staff on that plan as well as their role and responsibilities. Your plan should include your capabilities to address saving lives, meeting basic human needs, and protecting property and the environment. **[Slide 194]** Develop a plan to notify disabled employees and visitors, which may include employees taking action to assist disabled patrons to recognize the incident and take protective actions. Provide a checklist if appropriate with contact information as well as their tasks and accountability procedures. Meet with responders to determine how best to coordinate actions, including having a liaison from the organization designated to assist responders with information on the facility and occupants. Work with support groups to identify appropriate recovery actions and recovery resources for immediate and long-term support.

(Faculty Note. Faculty can discuss how recovery and engagement must consider different community perceptions and perspectives, *e.g.*:

- As an employee working in a place where people are accused of assaultive or manipulative behavior frequent, what do I expect (or demand) out of my employer?
- As a person of color, member of a marginalized community, or one who has experienced systemic racism, what does being safe in the confines of a courthouse mean?)

Keeping in Mind Our Human Experience [SLIDES 195-196]

Faculty begins the segment by informing the participants that we will wrap up the module and the training first with a discussion of the importance of empathy and maintaining a human connection with those with whom we interact in our courts and communities, and then we will move on to a continuation of our collaborative exercises and action planning.

First, faculty explains they will show a short video from the Cleveland Clinic on Empathy: The Human Connection that is focused on health care but is equally relevant to our work. **[Slide 196]**

https://www.youtube.com/watch?v=cDDWvj_q-o8

Faculty then facilitates a brief discussing, asking participants what their take-aways are from the video and how it may impact their work. Finally faculty, encourage participants to jot down a few ideas—a “Note to Self”—about what they can do to increase their own empathy quotients. **[Slide 197].**

IV. COLLABORATION AND ACTION PLANNING [SLIDE 200-210]

A. Collaboration Exercise – Recovery and Engaging Community Partners to Improve Safety (Handout 15)

Faculty provides participants with the collaboration multiplier handout, which is the same as used in the prior modules and instructs them to take some time individually to answer the questions provided, this time focusing on recovery and engagement when formulating their answers.

B. Collaboration Exercise - Cycle of Continuous Improvement: Integrating the Elements of AWARE

After participants finish their collaboration exercise on recovery and engagement, faculty asks them to pull out their responses to the exercises completed after the preceding modules (analysis, warning, and action). Working as a large group, participants will have 15 minutes to compare their responses to all of the exercises with the other members of their group and discuss ways to integrate and use their plans for collaboration.

C. Final Exercise: Setting Concrete Next Steps (Handout 16)

As a final step, faculty provides participants with a final action planning handout, asking them to identify three concrete ideas they have and/or steps they can take towards improving their court's and/or community's readiness and response regarding domestic violence-related incidents.

D. Action Planning [Slide 207-208]

Faculty asks participants to think about their current court security and any action plans they have (in either their department or program or in any of the plans identified and discussed during the Module). Faculty provides participants with paper and instructs them to take some time individually to consider and answer the following questions regarding action communication planning and resource gaps for action in response to an active incident:

- *Are there mechanisms in place to communicate risk from those who know to those who are in danger and to those who can mitigate it? If not, what can be done to fill that gap?*
- *Are there other measures currently available that can address risk—equipment, training, staff?*

E. Emergency Action Preparedness (Handout 12) [Slide 209]

Building on the previous thought exercise, faculty provides the participants with a Handout that contains a scenario for a court emergency. It provides an opportunity to consider both individual and court emergency preparedness and assess which functions are performed by whom, and it may assist the court in developing or enhancing its emergency action planning. Faculty provides each participant five minutes to fill out the answers to the first set of questions on the

Handout and then an additional five minutes for the group to discuss those answers as well as the additional questions on the Handout.

F. Collaboration Exercise (Handout 11) [Slide 210]

Faculty concludes the module by asking participants to think about a collaborative planning team for action—who would you include on the facility security planning team for your court? Faculty provides participants with the handout for this exercise and instructs them to take some time individually to answer the questions provided regarding collaboration, focusing on the information discussed in this module when formulating their answers.

END OF TRAINING

ADDENDUM 1

Mapping Exercise: This is in addition to the 2.5-day institute.

[Slides 211-220]

A. Identifying Court Roles Regarding Domestic Violence Within and Beyond the Courthouse
Lecture, Pair and Share, and Large Group Mapping (Handout 4)

Pair and Share Exercise. (Handout 4) Faculty instructs participants that they will work in pairs on a two-part exercise in which they first identify then later illustrate how various court-related professionals may encounter persons/parties in a domestic violence case. For the first part, each pair is asked to complete a worksheet (Handout 4) for about 15 minutes. While filling out the worksheet, participants should think about the steps a domestic violence litigant takes in the community as well the steps a litigant might take when they enter the court for information, assistance, or legal proceedings (*e.g.*, custody, divorce, protection order, criminal proceedings) because of or relating to domestic violence.

(Handout 4) Section I: Inside and Around the Courthouse

Who in your court interacts with domestic violence-related litigants?	When and where do they have those interactions?	Where and how do those interactions overlap with others (e.g., departments, services, etc.) inside the courthouse and within the community?
--	--	--

Section II: Beyond the Courthouse and Into the Community

Who in your community interacts with domestic violence-related litigants?	When and where do they have those interactions?	Where and how do those interactions overlap with others (e.g., departments, services, etc.) within the community and inside the courthouse?
--	--	--

Large Group Mapping. After participants complete the worksheet, faculty informs participants that they will now get a chance to use and improve on the map they developed during the icebreaker. For the next 15 minutes, working as a large group, participants use their earlier rough drawings and identify those places within their courthouses and communities where court staff and other professionals may encounter domestic violence cases, litigants, or parties based on places that they identified in their worksheets, adding into those places the various professional roles that may interact with domestic violence litigants. Where this exercise raises additional roles and places not previously identified, participants may add that information to their map and their worksheets.

After 15 minutes, Faculty engages in debrief discussions, focusing on the following:

Debrief. Courthouse: Who and Where? Faculty starts by asking members of the group to report back by first discussing their diagram with respect to the first two questions (Who interacts with domestic violence-related litigants? Where and when do they interact with domestic violence-related litigants?). Ask others to contribute anything additional as time allows, trying to avoid any redundancies.

Debrief. Community: Who and Where? Faculty repeats the debrief with the second questions. (Who interacts with domestic violence-related litigants? Where and when do they interact with domestic violence-related litigants?)

Debrief. Understanding Interactions. Faculty asks the group about the interactions they identified with domestic violence-related parties:

- *For the interactions identified, will the court staff and other professionals know about the context and risk of the domestic violence involved?*
- *Are you represented in your worksheets or diagrams? Why or why not?*
- *Of the court staff you oversee, who interacts the most with domestic violence cases?*

At the conclusion of this debrief, faculty informs participants that we will revisit these diagrams as we delve deeper into an understanding of their current practices and processes with an eye towards identifying challenging areas such as information/case/work flow, capacity issues, risks, delays or resource gaps and, from there, developing a responsive court plan focused on improving court/system awareness, readiness, and response to the risks and harm posed to courts and communities by perpetrators of domestic violence.

Lecture. Faculty closes the segment with a lecture. Some of these points may come out during the discussion session, and faculty may summarize the discussion and move on.

Domestic violence is everywhere and touches—both directly and indirectly—various facets of your court systems.

- Types of proceedings where the courts may encounter DV litigants:
 - Criminal: victims of crime (SA, physical assault), property crimes
 - Civil: civil protection order, child support, child custody, consumer matters (contracts, loans, credit reports), divorce, property and housing matters, abuse and neglect, juvenile, probate
- Places inside the courthouse where court personnel may interact with DV cases (draw from participant responses):
 - Parking lot and elevators
 - Law library
 - Attorney’s offices (defense and prosecution)
 - Lobby/security
 - Clerk’s office
 - Self-help/self-represented litigants/advocate office
 - Courtrooms
 - Behind closed doors? HR, community relations, finance, court management, filing room, etc.
 - Where else? (*e.g.*, restrooms, cafeteria, meeting rooms)

- Court personnel who interact with cases that involve DV include (draw from participant responses):
 - Judge
 - Court clerks and law clerks
 - Court security officer
 - Interpreters
 - Advocates
 - Indirectly? Court leadership/management; Offices: HR, community relations, finance; Custodial staff, etc. *Who else?*
- People and places outside the courthouse that interact with DV cases
 - Service providers
 - Hospital/medical
 - Law enforcement
 - Legal services and prosecutor's office
 - Case coordinators and schedulers
 - Social services
 - School
 - Victim/witness assistant
- Be aware that domestic violence litigants can be anywhere, including people you work with, who are both powerful and not. (Faculty may provide examples.)
- Interaction with domestic violence cases extends well beyond the courthouse and many are not resolved just within the justice system.
- Many cases don't even go to hearing or trial and may require alternative services to resolve.

Roles and opportunities for coordination

- Only when all court personnel have an awareness of their own functions regarding domestic violence services, and how these interact or overlap with the functions of all court personnel, can the system understand the nature and extent of any risk factors related to domestic violence cases.
- Court staff needs to understand their interaction with and impact on

domestic violence cases and the parties involved, especially when issues outside of work affect their behavior and approach (which is normal for any employee), which can in turn raise questions about safety in the workplace.

- Effective coordination and partnerships between court personnel and among agencies allow a flow of information between appropriate parties.

The faculty closes the module by indicating that the next segments of the program will focus on risk response planning and development of action plans, and put some of the information and learning points discussed in this module into practical planning.