

City Council Announcements

March 30, 2010

A. Information Needed by Council Staff

1. Streamlining Council Office processes: Would Council Members consider changing the process for reviewing outgoing correspondence? Two suggestions:
 - a. Thank You / Condolence / Congratulatory letters could be just reviewed by the Chair & Vice Chair rather than by the whole Council.
 - b. For other items (other letters, fast facts, etc.) for which full Council review is still necessary, allow a 24-hour window for Council review and then proceed according to the feedback received. (This would mean that if a Council Member is unable to see the email and provide feedback within 24-hours, the item may be otherwise approved and sent out anyway.)

If the Council is in favor of these two suggestions, staff can draft any updates to the Council's policy manual.

2. Council meeting schedule during the budget – The April to June schedule for Council Meetings is below. Please note, as in previous years, each Tuesday in May is scheduled (four meetings).

Would the Council be able to start meetings at 2:00 p.m. through the budget?

April

(No meeting April 6 – due to travel considerations for the ULCT Mid-Year Conference. April 7-9, 2010 St. George UT)

April 13, 2010 – Tuesday; 2:00 p.m.

April 20, 2010 – Tuesday; 2:00 p.m. – RDA MEETING

April 27, 2010 – Tuesday; 2:00 p.m. (*Mayor scheduled to present the annual budget.*)

May

May 4, 2010 – Tuesday; 2:00 p.m.

May 11, 2010 – Tuesday; 2:00 p.m. – RDA MEETING

May 18, 2010 – Tuesday; 2:00 p.m.

May 25, 2010 – Tuesday; 2:00 p.m.

June

June 1, 2010 – Tuesday; 2:00 p.m.

June 8, 2010 – Tuesday; 2:00 p.m. – RDA MEETING **may switch due to budget (TENTATIVE) June 15, 2010 – Tuesday **as needed for budget

(TENTATIVE) June 22, 2010– Tuesday **as needed for budget; **State deadline for budget adoption.**

3. Attached for your review are copies of the following:
 - a. DRAFT policy on Filming & Recording at Council Meetings
 - b. An abbreviated “Rules of Decorum”
 - c. Updated “Rules of Decorum”

Do Council Members approve of the attached updates to the “Rules of Decorum” and policy section for filming and recording during Council Meetings?

4. The Utah League of Cities & Towns has noted that there is a vacant spot on the League’s Legislative Policy Committee. The League appoints Policy Committee voting members to at the League’s spring meeting in St. George. The League has indicated it will send application forms to the City Council soon.
According to the League, Legislative Policy Committee voting members are:

Jill Remington Love (Past-President)
Carlton Christensen (Board Member)
Ralph Becker
Vacant Spot

The vacancy was created when the League appointed Council Member Christensen to the League Board early this year.

The League also lists the following people as non-voting members of the Legislative Policy Committee:

Council Member JT Martin
Cindy Gust-Jensen
Kay Christensen
Ben McAdams
Russell Weeks

Lynn Pace, who this year was the main City lobbyist is listed as a Policy Committee voting member because of his elected position as a Holladay City Council Member.

How does the City Council wish to approach filling the vacant position on the Policy Committee? The slot previously was held by a City Council Member

- The Justice Court is required to provide the Council with two reports each program year on the progress of the Violence Against Women Act (VAWA) grant. The Justice Court first applied for and received this grant in 2003. The grant's primary purpose is to enhance investigation and prosecution of violent crime committed against women. Averages of 1,100 misdemeanor domestic violence cases are filed each year and 65% involve abuse to female victims.

The grant is currently funding an hourly domestic violence clerk, and will fund a full time domestic violence clerk next year. According to the Administration, the clerk works closely with probation supervisors, treatment providers, and the prosecutor's office to track compliance and non-compliance of offenders. In addition, the clerk updates a database containing the demographic information of offenders, identifies cases scheduled for probation hearings, contacts treatment providers, and requests reports in order to keep the judge up to date on compliance/non-compliance information. The original grant also funded a contract software engineer who developed a database to collect statistical information on domestic violence perpetrators, and track and provide case history information.

Do Council Members have any questions with regards to the grant?

B. For Your Information

- Council Member Simonsen recently traveled to Bentonville Arkansas to visit with Walmart representatives regarding the building at 2705 South Parley's Way. The travel was approved by the Council, and Council Member Simonsen would like to share with the Council details about the visit. He has also provided you a copy of the letter prepared in appreciation of the visit (see attachment)
- Provided the new process the Council utilizes to approve grant funding within the Consent Agenda, an outline of the grant applications is below. The details of each grant are also attached. If you have any objections, please speak with a member of staff.

Grant Reference Title	Grant Amount	Grant Program
Emergency Management Performance Grant	\$ determined by appropriation	Emergency Management Performance Grant

Council Members,

One suggestion was made to also request that audience remain seated during the comment times. Staff will check in with the Attorney's Office on this. Are Council Members in favor of including that in the policy language (included in b.ii below)?

C.20 FILMING, PHOTOGRAPHY AND RECORDINGS AT CITY COUNCIL MEETINGS

- a. Salt Lake City's Information Management Services Division (IMS) films the open portions of City Council meetings. The footage is available to the public on line at the Salt Lake City web site. It is considered public information. The public may also request a copy on disk.
- b. Filming and pictures taken of Council proceedings by individual members of the public or by organizations is allowed within the following limitations:
 - i. The use of cameras and recording devices shall be allowed in a manner designed to address the free expression rights, security, visual sight lines and comfort of other meeting attendees.
 - ii. In order to avoid distracting, intimidating or creating a potential safety concern to persons speaking at the podium, all members of the public must remain seated during comments, -behind the audience podium and no closer than the front row.
 - iii. Cameras may not be set up on tripods or stands, unless within the designated area for tripods or stands, as tripods or stands may create a tripping hazard for other meeting attendees.
 - iv. Under no circumstances may a camera be set up or filming, photography, or recording performed in a manner that blocks an aisle or doorway.
- c. Credentialed news media personnel working on a news assignment may set up tripods, stands, and other recording equipment within the designated area for credentialed media or the designated area for the general public.
- d. Designated Areas will be established in consultation with the City Police Department representative.
- e. Other requests for video, photographs and / or audio recordings that can be lifted from film will likely be referred to the City's IMS Division.
- f. Failure to follow these procedures may result in removal from the meeting.

Council Members,

The Attorney's Office has provided some suggested changes to the Rules of Decorum documents prepared for your review.

Below are copies of the abbreviated language that could be used on electronic agenda postings and on the Council's website, and the longer version made available at Council meetings.

Abbreviated Rules of Decorum – for use on electronic agenda copies, and posting on the Council website.

The City Council Meeting offers an opportunity for all visitors to comfortably participate in dialogue on a variety of issues. Please observe a few rules of good manners in order to maintain the Chamber as a place where people feel comfortable to participate, and where the meeting can be conducted in an orderly fashion. 1) Abide by the two-minute time limit on all comments to allow everyone equal time, 2) Be respectful of speakers by not jeering or cheering at them, 3) Demonstrate respect for others by refraining from the use of insulting or offensive language, and 4) Coordinate with a staff member regarding the sharing of documents or questions about recording meetings.

Rules of Decorum during a City Council Meeting

The City Council Meeting offers the opportunity for public dialogue on many issues. People may agree or disagree with arguments made there. The City Council wants people to speak out on items that concern them, and the Council wants everyone to feel comfortable when speaking or when listening to speakers.

To maintain the Chamber as a place where people feel comfortable participating in their government and so that the meeting can be conducted in an orderly, efficient, effective, and dignified fashion, free from distraction, intimidation, and threats to safety, please observe the following rules of civility:

- *Please open any large bags, purses or backpacks for inspection by officers before entering the City Council Chamber or the Committee of the Whole Room (Room 326).*
- *If anyone has a prop or piece of equipment integral to a presentation, please clear its use with an officer before entering the Council Chamber.*
- *If you have questions about proper placement of recording equipment or recording in general, please coordinate this with an officer or staff member before the beginning of the meeting.*
- *The City Council does not allow any disruptive demonstrations for or against an issue, including the waving of placards or pictures.*
- *If you have written remarks, a document, or other items you may want the City Council to review, please give them to our staff, and they will distribute them for you.*
- *Please observe a two-minute time limit so everyone may have a chance to speak.*
- *The City Council expects people in the Chamber to be respectful of speakers including not jeering at them – or cheering or clapping for them. In addition, speakers should refrain from using words or comments intended to incite a disruption to the meeting.*
- *Failure to follow these decorum rules may result in removal from the meeting.*

Public Hearings

The Public Hearing section of the Council agenda is set aside for the public to comment on specific items as listed on the Council's agenda. Those in attendance are expected to follow the rules of civility as outlined above and to limit their comments to the subject matter of the public hearing.

Public Comments to the City Council (See reverse side on how to submit your comments.)

The Public Comments section allows speakers to address the City Council on any subject. However, the City Council expects those who speak to follow the same rules of civility for speakers and listeners that those who speak at public hearings observe.

There may be times when a City Council Member may request a point of personal privilege from the Chair to ask a question or make a brief remark, but generally this portion of the meeting is designed for you to speak and the City Council to listen.

SCANNED TO: Mayor
SCANNED BY: JT
DATE: 2/26

VIRGINIA WARD
PRESIDING JUDGE

SALT LAKE CITY CORPORATION

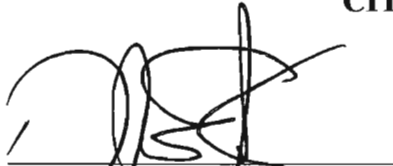
SALT LAKE CITY JUSTICE COURT

RECEIVED
RALPH BECKER
MAYOR

FEB 26 2010

CITY COUNCIL TRANSMITTAL

Salt Lake City Mayor


David Everitt, Chief of Staff

Date Received: 02/26/2010
Date sent to Council: 02/02/2010

TO: Salt Lake City Council
JT Martin, Chair

DATE: February 24, 2010

FROM: Mary N. Johnston, City Court Director



SUBJECT: Violence Against Women Act Grant Reporting Requirement

STAFF CONTACT: Mary N. Johnston, City Court Director (535-7173)

DOCUMENT TYPE: Briefing

RECOMMENDATION: The Salt Lake City Justice Court is required to give two reports on the progress of the grant during the program year to our City Council. This could be in form of a written report or a briefing.

BUDGET IMPACT: No direct impact. This grant which is through the State of Utah Office of Crime Victim Reparations is currently funding an hourly Domestic Violence Clerk and next year will fund a full time Domestic Violence Clerk.

BACKGROUND/DISCUSSION: All misdemeanor domestic violence offenses committed within the city limits of Salt Lake City are filed with the Salt Lake City Justice Court. In keeping with an overall goal of providing restorative justice, the Salt Lake City Justice Court established a dedicated Domestic Violence Court in July of 2002. An average of 1,100 misdemeanor domestic violence cases are filed each year and 65 percent involve abuse to female victims. Since intensive case management of offenders' compliance with court-ordered treatment and probation is one of the most effective techniques to prevent further domestic violence against women by changing offender behavior the Justice Court first applied and received this grant in 2003. This grant funded a dedicated domestic violence clerk who collaborates closely with community partners, such as probation supervisors, treatment providers, and the prosecutors' office to track compliance and non compliance of offenders. This clerk's current duties include:

- Updating the database with the demographic information of the offender.
- Identifying cases scheduled for probation hearings.
- Contacting treatment providers and requesting treatment compliance reports so that the Domestic Violence Judge has up to date compliance/non compliance information when he is reviewing sentencing conditions.
- Verifying that warrants and no contact orders have been updated accurately on the statewide system.

The original grant also funded a contract software engineer who developed a data base which collects statistical information on domestic violence perpetrators and to track and supply case history information on individual perpetrators. This database is kept updated by the grant funded domestic violence clerk.

Attachments

VAWA Grant Report – February 2010

Introduction

Nearly one in four women in the United States reports experiencing violence by a current or former spouse or boyfriend at some point in her life (Get the Facts. Retrieved February, 23, 2010, from http://www.endabuse.org/content/action_center.detail/754). Although this citation reflects current data, in response to similar, troubling statistics, the United States Congress passed the Violence Against Women Act of 1994 (VAWA). Originally signed into law by President William J. Clinton on September 13, 1994, it was most recently reauthorized by Congress in December of 2005 and signed into law by President George W. Bush on January 5, 2006.

VAWA's primary purpose is to enhance investigation and prosecution of violent crime perpetrated against women. To that end, VAWA authorizes grants supporting that purpose and develops federal policy regarding domestic violence issues.

The Salt Lake City Justice Court has had the opportunity to apply for and receive a number of VAWA grants. The purpose of this report is to comply with a requirement of the current grant to inform the Salt Lake City Council of Court activities supported by the grant.

Domestic Violence Defined

Domestic violence cases filed under Utah law occur when a cohabitant abuses or attempts to abuse another cohabitant. In most cases, a cohabitant is defined as person who is or behaves as though they are the spouse of the other cohabitant; is related by blood to the other cohabitant; or has children in common with the other cohabitant. In a small minority of cases, cohabitant roommates, those who are not in intimate partner relationships and not related by blood are charged with domestic violence. (See Utah Code, 78B-7-102 Cohabitant Abuse Act, attached as Exhibit 1).

"Abuse" means intentionally or knowingly causing or attempting to cause a cohabitant physical harm or intentionally knowingly placing a cohabitant in reasonable fear of imminent physical harm. (*id.*)

During the reporting period from July 1, 2009 to December 31, 2009, 514 domestic violence cases were filed with the Court. The most commonly filed domestic violence charges are Assault, Battery, Domestic Violence in the Presence of a Child and Damage to or Interruption of a Communication Device.

Court Services Provided Under the Grant

In order ensure victim safety and perpetrator accountability, the domestic violence court performs intensive case management while supervising a defendant's probation. This supervisory function includes live, in-court review hearings during the probationary period, and constant contact and compliance monitoring with the defendant's state licensed domestic violence treatment provider. It also includes ongoing assessment of all cases with active Domestic Violence Protective Orders, cases in which the risk of harm to the victim is elevated due to the defendant's prior domestic violence charges or current non-compliance with the

court's orders. In addition, the court also monitors active arrest warrants in domestic violence cases.

The VAWA grant funded domestic violence clerk runs reports once a month from the court's case management system Judicial Enforcement Management System (JEMS), for these active cases and checks each of them on the statewide Bureau of Criminal Investigation (BCI) database to make sure that protective orders and warrants are entered correctly. This review ensures that the courts and law enforcement agencies using the BCI system are getting accurate, up-to-date information.

Prior to live, in-court review hearings, the domestic violence clerk physically prepares the case files for those cases set for hearing. The reviews occur every other Monday afternoon with about 70 cases set on each date. The clerk's review of these cases involves comparing the initial orders of the court to the progress or lack of progress by the defendant in meeting those orders. The clerk contacts the treatment agency, compiling a recent and current hard copy treatment history. The clerk notes compliance and flags critical information for the Judge's attention. The clerk working with information from BCI, treatment providers and other justice partners, compiles a concise summary for each case to enable the judge to review each efficiently and effectively and to determine and implement ongoing orders. Information may include compliance with treatment, fines and community service, new criminal violations and violations of protective orders.

In preparation for the judge's file review, the clerk separates the files by treatment agency. For frequently used agencies, a live staffing by the Domestic Assessment Review Team (DART) comprised of representatives from the treatment agencies, the judge, the Salt Lake City Prosecutor's Victim/Witness Coordinator and the clerk is held the Wednesday preceding the Monday reviews. After separating the files, a DART list is created including defendant name, date of birth, and case number, which is sent to the agencies and the Victim/Witness Coordinator to inform them which defendants are scheduled for review.

During the DART meeting the Judge meets with treatment agency representatives to go over each individual case which is set for review. The judge, with the input of the team, will then decide how to further proceed on each case based on the reports he receives from the representatives.

For infrequently used agencies the clerk makes personal contact with the agency in the week prior to the review in order to obtain hard copy or telephonic updates regarding defendant compliance.

For cases in which the defendant has not yet been assigned a treatment provider, the clerk flags the plea entry order, labels the file as requiring the appointment of an evaluating/treating agency, and submits them to the judge for review prior to the live hearing.

In our ongoing effort to ensure victim safety, every effort is made to ensure that each file has an accurate update which is no less than a week old so that the Judge may take appropriate action immediately.

Grant Funded Court Achievements

The Salt Lake City Justice Court and our justice partners, the Office of the Salt Lake City Prosecutor, the Salt Lake Legal Defender Association, the Salt Lake City Police Department, the state licensed domestic violence treatment providers and victim support agencies have, through VAWA grant funding been able to establish and accomplish a number of specific and general

goals in serving victims of domestic violence by and through holding perpetrators of domestic violence accountable for their actions.

An important achievement was the creation of and the ongoing maintenance of the VAWA domestic violence tracking system. This system contains statistical data for domestic violence cases such as sentencing, treatment success/failure rates, numbers of criminal charge (counts) filed as domestic violence and trending information. Prior to the creation of this system, there was simply nothing in place at our court to track this information.

Attached (see Exhibit 2) is a statistical compilation of the caseload in the domestic violence court for the reporting period July 1, 2009 through December 31, 2009. The exhibit documents the demographics of the average offender with statistics taken from the responses to our demographic questionnaire (attached as Exhibit 3). Data collection is anonymous. No names or other personal identifiers are requested or provided. This information is available to the public via the Justice Court website and can be viewed by specified time period.

Another achievement and ongoing task of the VAWA grant is populating an academic research database through the domestic violence tracking system. Exhibit 4, attached is a research paper, (Kindness, A. et al., Court Compliance as a Predictor of Post adjudication Recidivism for Domestic Violence Offenders, Journal of Interpersonal Violence, doi:1177/0886260508322197, 2008) the authors of which used the database for basic information to examine recidivism among domestic violence perpetrators. The study confirms that offenders who display early noncompliance in court cases are more likely to reoffend. The importance of this conclusion to the court is that the judge can better determine the intervals between review hearings conserving judicial and administrative court resources. The importance to domestic violence victims is that information regarding noncompliance can be used for personal safety planning.

CONCLUSION

Through ongoing VAWA grant funding, and in collaboration and cooperation with our justice partners, the Salt Lake City Justice Court has been able to establish a tracking and reporting system which, through continuous and ongoing supervision of domestic violence perpetrators, has made every effort to ensure perpetrator accountability and victim safety in domestic violence cases. The grant has ensured timely and efficient case management as discussed specifically above, but as important, it has helped to create an atmosphere in which domestic violence misdemeanors are treated seriously by all stakeholders from victim and perpetrator, through and including the court, prosecutors, defense attorneys and treatment providers. The grant plays an ongoing, significant and integral role in funding and supporting victim safety in our community.

EXHIBIT 1

Title/Chapter/Section: [Utah Code](#)[Title 78B Judicial Code](#)[Chapter 7 Protective Orders](#)**Section 102 Definitions.****78B-7-102. Definitions.**

As used in this chapter:

(1) "Abuse" means intentionally or knowingly causing or attempting to cause a cohabitant physical harm or intentionally or knowingly placing a cohabitant in reasonable fear of imminent physical harm.

(2) "Cohabitant" means an emancipated person pursuant to Section 15-2-1 or a person who is 16 years of age or older who:

- (a) is or was a spouse of the other party;
- (b) is or was living as if a spouse of the other party;
- (c) is related by blood or marriage to the other party;
- (d) has one or more children in common with the other party;
- (e) is the biological parent of the other party's unborn child; or
- (f) resides or has resided in the same residence as the other party.

(3) Notwithstanding Subsection (2), "cohabitant" does not include:

- (a) the relationship of natural parent, adoptive parent, or step-parent to a minor; or
 - (b) the relationship between natural, adoptive, step, or foster siblings who are under 18 years of age.
- (4) "Court clerk" means a district court clerk.

(5) "Domestic violence" means the same as that term is defined in Section 77-36-1.

(6) "Ex parte protective order" means an order issued without notice to the defendant in accordance with this chapter.

(7) "Foreign protection order" is as defined in Section 78B-7-302.

(8) "Law enforcement unit" or "law enforcement agency" means any public agency having general police power and charged with making arrests in connection with enforcement of the criminal statutes and ordinances of this state or any political subdivision.

(9) "Peace officer" means those persons specified in Title 53, Chapter 13, Peace Officer Classifications.

(10) "Protective order" means an order issued pursuant to this chapter subsequent to a hearing on the petition, of which the petitioner and respondent have been given notice in accordance with this chapter.

Renumbered and Amended by Chapter 3, 2008 General Session

Download Code Section [Zipped](#) [WordPerfect](#) [78B07_010200.ZIP](#) 2,729 Bytes

[<< Previous Section \(78B-7-101\)](#) [Next Section \(78B-7-103\) >>](#)

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EXHIBIT 2

SLC Justice Courts 333 S 200 E SLC, UT 84111

[+]Feedback

[Statistical Summary](#)
 [Email Input](#)
 [Perpetrator Reports](#)
 [Victim Input](#)
 [Perpetrator Input](#)

Statistical Information

Select a start and end date to view a statistical summary of Court data

Start Date:	End Date:
Month: <input type="text" value="July"/> Year: <input type="text" value="2009"/>	Month: <input type="text" value="December"/> Year: <input type="text" value="2009"/>
<input type="button" value="Get Stats"/>	

The following statistics apply only to the time frame from July 2009 through December 2009:

The typical demographics for a perpetrator of domestic violence: **(Based upon 149 responses.)**

Sex: Male	Age: 25 - 34
Income: \$0 - \$19,999	Residency: Rents
Education: GED/High School Diploma	Ethnicity: Caucasian

Percentage breakdowns of demographic information

The typical demographics for a victim of domestic violence:

No data exists for this time frame.

Number of domestic violence cases filed: **511**
 Number of arraignments scheduled: **1151**
 Number of cases scheduled for arraignment: **795**
 Number of video arraignments scheduled: **239**
 Number of cases scheduled for arraignment via video: **197**
 Number of failure to appear warrants issued: **504**
 Number of failure to comply warrants issued: **100**
 Number of review hearings scheduled: **737**
 Number of jury trials scheduled: **202**
 Number of bench trials scheduled: **54**
 Number of cases acquitted: **6**
 Number of cases convicted: No data exists for this time frame.
 Number of cases dismissed with prejudice: **49**
 Number of cases dismissed without prejudice: **154**
 Number of cases in which the guilty plea was held in abeyance: **169**
 Number of plea in abeyance cases which were dismissed with prejudice within this time period: **128**
 Number of cases in which the terms of the plea in abeyance were not completed and the conviction was entered within this time period: **21**
 Number of cases involving abuse or neglect of the elderly: **0**
 Number of counts of domestic violence in the presence of a child: **305**
 Number of repeat offenders: **89**
 Number of attacks of men on women: **339**
 Number of attacks of women on men: **103**
 Number of attacks of men on men: **100**
 Number of attacks of women on women: **61**
 Number of cases in council district #1: **66**
 Number of cases in council district #2: **59**
 Number of cases in council district #3: **19**
 Number of cases in council district #4: **100**
 Number of cases in council district #5: **90**
 Number of cases in council district #6: **7**
 Number of cases in council district #7: **26**

The following general stat applies to the court's history and not a specific time frame:

The total number of DV cases that have been appealed: **51**
 The total number of DV cases currently on probation: **1093**

*SLC Justice Courts 333 S 200 E SLC, UT
84111*

[+]Feedback

Statistical Summary

Perpetrator Reports

Perpetrator Specifics

Below is a listing of percentages based upon responses of DV offenders

The following statistics apply only to the time frame from July 2009 through December 2009:
(Based upon 149 responses.)

US Census Bureau 2000 Demographic Profile for Salt Lake City

Sex:

Male	63.76 %
Female	33.56 %
No Response	2.68 %

Age:

18 - 24	24.16 %
25 - 34	34.23 %
35 - 44	20.13 %
45 - 54	17.45 %
55 - 64	2.68 %
65+	1.34 %
No Response	0.00 %

Annual Household Income:

\$0 - \$19,999	61.74 %
\$20,000 - \$29,999	20.13 %
\$30,000 - \$39,999	2.68 %
\$40,000 - \$49,999	4.70 %
\$50,000 - \$59,999	2.01 %
\$60,000 - \$69,999	0.67 %
\$70,000 - \$79,999	1.34 %
\$80,000+	4.03 %
No Response	2.68 %

Residency:

Owns Home	14.09 %
Rents	58.39 %
Lives with family/friend	22.15 %
Shelter/Other	5.37 %
No Response	0.00 %

Highest Level of Education**Completed:**

Did not complete High School	22.82 %
GED/High School Diploma	38.93 %
Technical/Trade School	5.37 %
Some College	25.50 %
Associate's Degree	3.36 %
Bachelor's Degree	2.01 %
Master's Degree	2.01 %
No Response	0.00 %

Ethnicity:

Black or African American	9.40 %
American Indian or Alaska Native	2.01 %
Asian	2.01 %
Native Hawaiian or Pacific Islander	5.37 %
Hispanic or Latino	26.85 %
Caucasian	49.66 %
Other	4.70 %
No Response	0.00 %

Victim Specifics

Below is a listing of percentages based upon responses of DV victims

The following statistics apply only to the time frame from July 2009 through December 2009:
There is no victim data for this time period.

EXHIBIT 3

Salt Lake City Justice Court

333 South 200 East, Salt Lake City, Utah 84111 - (801) 535-6300

Please fill out completely. This information is for statistical purposes only.

PLEASE DO NOT WRITE YOUR NAME ON THIS FORM.

Sex:

- Male Female

Age:

- 18 - 24 25 - 34
 35 - 44 45 - 54
 55 - 64 65+

Annual Household Income:

- \$0 - \$19,999
 \$20,000 - \$29,999
 \$30,000 - \$39,999
 \$40,000 - \$49,999
 \$50,000 - \$59,999
 \$60,000 - \$69,999
 \$70,000 - \$79,999
 \$80,000 +

Residency:

- Own my home
 Rent
 Live with family/friend
 Shelter/Other

Highest Level Of Education Completed:

- Did not complete High School
 GED/High School Diploma
 Technical/Trade School
 Some College
 Associate's Degree
 Bachelor's Degree
 Master's Degree

Ethnicity:

- Black or African American
 American Indian or Alaska Native
 Asian
 Native Hawaiian or Pacific Islander
 Hispanic or Latino
 Caucasian
 Other

Juzgado Menor de Salt Lake City

333 South 200 East, Salt Lake City, Utah 84111 - (801) 535-6300

Por favor complete este formulario. Esta información es para fines estadísticos únicamente.

POR FAVOR NO ESCRIBA SU NOMBRE EN ESTE FORMULARIO.

Sexo:

- Hombre Mujer

Edad:

- 18 - 24 25 - 34
 35 - 44 45 - 54
 55 - 64 65+

Ingreso Económico Anual del Hogar:

- \$0 - \$19,999
 \$20,000 - \$29,999
 \$30,000 - \$39,999
 \$40,000 - \$49,999
 \$50,000 - \$59,999
 \$60,000 - \$69,999
 \$70,000 - \$79,999
 \$80,000 +

Residencia:

- Dueño de vivienda propia
 Alquila o renta
 Vivo con parientes o amigos
 Albergue/ Otro

Mayor Nivel Alcanzado en Educación:

- Secundaria Incompleta
 GED/ Diploma de Secundaria
 Escuela Técnica / Vocacional
 Estudios Terciarios Incompletos
 Título de Técnico Superior
 Título de Bachiller Universitario/
Licenciado
 Título de Maestría

Grupo Étnico:

- Negro o Afro-Americano
 Amerindio o Natural de Alaska
 Asiático
 Natural de Hawaii o de las Islas del
Pacífico
 Hispano o Latino
 Caucásico
 Otro

EXHIBIT 4

Journal of Interpersonal
Violence

Volume XX Number X

Month XXXX xx-xx

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Court Compliance as a Predictor of Postadjudication Recidivism for Domestic Violence Offenders

Alana Kindness

Han Kim

Stephen Alder

Alison Edwards

University of Utah

Asha Parekh

Salt Lake Area Safe at Home Coalition

Lenora M. Olson

University of Utah

This study evaluated pre- and postadjudication behavior of 220 male defendants convicted of a domestic violence-related offense using court records and police department data. Our goal was the identification of possible predictors for continued criminal behavior that could pose a risk of further harm to victims. Factors identified as significant predictors of defendant recidivism were having two or more court reports of noncompliance with domestic violence treatment, two or more warrants issued by the court for noncompliance, and two or more reports to law enforcement of new criminal activity involving the defendant. Law enforcement reports were the strongest predictor of recidivism, with an odds ratio of 7.7 and confidence interval of 3.0-19.7. These results illustrate the importance of monitoring multiple dimensions of defendant behavior while under court supervision and of communicating information on noncompliance with victims and advocates to assist in safety planning efforts.

Keywords: *domestic violence; criminal justice; law enforcement; risk assessment; partner abuse*

Intimate partner violence is a serious public health problem in the United States, disproportionately affecting women and resulting in significant morbidity and mortality. More than 1.5 million women experience intimate partner violence, rape, physical assault, or stalking annually (Tjaden & Thoennes, 2000). The estimated cost of meeting the medical and mental health care needs of women who are victimized by an intimate partner is nearly US\$4.1 billion annually (National Center for Injury Prevention and Control, 2003). This alarming and pervasive form of violence also has far reaching effects including children who witness the abuse, other family members, communities, and society as a whole (Goodman, 2006; Stover, 2005).

The widespread impact and complex nature of intimate partner violence calls for an integrated response by practitioners and researchers in the fields of criminal justice, social services, public health, and health care (Cattaneo & Goodman, 2005; Murphy, Musser, & Maton, 1998). Examples of this collaborative response can be seen in the establishment of specialized courts that take a "restorative" approach to addressing crime. In the case of interpersonal violence, this has meant developing interventions that attempt to prevent further offenses by changing offender behavior through therapeutic interventions such as counseling and intensive supervision, while also providing services such as shelter and safety planning to victims. These specialized courts use measures such as mandatory domestic violence treatment and regular review hearings to monitor defendants' compliance with court orders while under supervision (Babcock & Steiner, 1999; Murphy et al., 1998).

Domestic violence courts often employ staff and judges who are well versed in the dynamics of domestic violence (Newmark, Rempel, Diffily, & Kane, 2001). These professionals are trained to respond to the complex nature of domestic violence-related crime and to collaborate closely with community

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partners such as probation supervisors, treatment providers, and victim advocates (Buzawa & Buzawa, 2003; Casey & Rottman, 2005; Gover, MacDonald, & Alpert, 2003). The goal of this collaborative approach is to increase the effectiveness of the criminal justice response in preventing further violence and victimization through improved monitoring of defendant behavior and swift intervention when recurrence of violent behavior is detected.

Research on the efficacy of domestic violence interventions is still fairly new, and effectiveness varies by type of intervention and participant characteristics. While many studies have examined the impact of domestic violence treatment on offender behavior (Casey & Rottman, 2005; Cattaneo & Goodman, 2005), few have demonstrated a significant impact of treatment alone on reducing recidivism (Babcock, Green, Robie, 2004; Babcock & Steiner, 1999; Buzawa & Buzawa, 2003; Casey & Rottman, 2005; Labriola, Rempel, & Davis, 2005). Research focusing on specialized court programs that combine strict court supervision measures with specialized domestic violence treatment has shown more promising results (Gover et al., 2003; Hendricks, Werner, Shipway, & Turinetti, 2006; Stover, 2005). Exploratory studies of defendant involvement in multiple justice system components (e.g., prosecution, probation, and counseling) indicate a possible cumulative effect of a multidimensional intervention associated with lower rates of postadjudication recidivism (Jordan, 2004; Murphy et al., 1998). In addition, the collaborative approach of domestic violence courts provides support and resources to victims and their families, which can potentially increase their safety and security regardless of court outcomes (Buzawa & Buzawa, 2003; Casey & Rottman, 2005).

Recognizing that no intervention has been shown to be completely effective in preventing domestic violence recidivism, researchers and practitioners have developed assessment tools that evaluate the potential for reoffense which can enable victims and their advocates to develop appropriate safety plans as a secondary violence prevention measure (Heckert & Gondolf, 2002; Hilton, Harris, Rice, Cormier, & Lines, 2004; Maxwell, Garner, & Fagan, 2002). Most assessments currently in use require the involvement of a trained evaluator and direct contact with the victim, the perpetrator, or both to obtain detailed summaries of past or current behavior (Campbell, 2005). In addition to being resource intensive and requiring offender or victim cooperation, the predictive power of these instruments is variable (Cattaneo & Goodman, 2005; Heckert & Gondolf, 2002; Hilton & Harris, 2005; Hilton et al., 2004).

Other studies assessing predictors of further violence in domestic violence defendants have focused on behavioral and demographic factors such as alcohol use, employment status, and criminal history (Bowen, Gilchrist, & Beech, 2005; Heckert & Gondolf, 2002; Kaukinen, 2004; Kingsnorth,

2006; Kyriacou et al., 1999). Prior criminal history is one critical factor that has been shown in several studies to be a predictor of recidivism for domestic violence defendants (Bowen et al., 2005; Gondolf, 2004; Hilton & Harris, 2005; Maxwell et al., 2002; Ventura & Davis, 2005), but past offense information is often unavailable to law enforcement, to the victim, or to those who are assisting the victim in determining risk and safety planning. Obtaining information on prior criminal behavior is particularly problematic if the defendant has not maintained a stable residence or has lived in multiple jurisdictions (Buzawa & Buzawa, 2003).

Based on a review of the research cited above, we found a need to identify additional predictors of reoffense that were not reliant on availability of criminal justice records from multiple jurisdictions or participants' willingness to disclose personal background information. While such information is often not available to victims, advocates, and court personnel, records of compliance with court requirements while under supervision can be monitored and evaluated through a coordinated community response. To our knowledge, this is one of the first published studies to examine compliance with court orders as a predictor of postadjudication recidivism.

The specific objective of this study was to evaluate whether defendants' behavior while under the supervision of a specialized domestic violence court-based intervention is predictive of further violent or harassing behavior. We hypothesized that we would find a positive correlation between frequency of noncompliance reports during the period of time prior to adjudication and the frequency of reoffense reports during the year following adjudication. Victim advocates, probation supervisors, judges, and others working with defendants and victims can use the resulting information to help assess the potential for reoffense in domestic violence defendants. This information will also be beneficial to researchers and practitioners in developing and evaluating offender management strategies aimed at reducing the risk of further harm to victims of domestic violence.

Method

Study Population

The 220 cases in this study involved male defendants charged with a misdemeanor level offense that was prosecuted in the specialized Domestic Violence Court program of the Salt Lake City Justice Court between the dates of January 1, 2003 and December 31, 2004. Salt Lake City is the capital of

Utah, with a population of approximately 180,000 and a racial distribution of 79% White, 4% Asian, 2% Black or African American, 2% Native Hawaiian or other Pacific Islander, and 1% American Indian or Native Alaskan, with 19% of Hispanic or Latino origin. We did not gather race or ethnicity information on individual subjects as this data was not consistently available from Salt Lake City Police Department Records. Age of defendants ranged from 18 to 89 years old, with a median age of 32 years.

The following partners are involved in the operation of the specialized court program: court staff, law enforcement-based victim advocates, prosecution-based victim/witness coordinators, domestic violence treatment providers, and probation supervision agents. Domestic violence defendants who are found guilty by plea or trial are placed on probation for a period of 12 months and required to complete a treatment program with a certified domestic violence treatment provider. Defendants are required to return to court periodically for review hearings at which their compliance with court orders is assessed. Indications of noncompliance including lack of participation in treatment or nonappearance for review hearings can result in court sanctions issued against the defendant. Sanctions include extension of the probation period, warrants issued for the defendant's arrest, and jail time. Adjudication is defined as the closure of a case, after which point the court has no further authority over the defendant.

During the study period, the Domestic Violence Court program processed all charges filed at the infraction or misdemeanor B or C level in the Salt Lake City Justice Court in which the relationship between the defendant and victim qualified as "cohabitant" under the Utah State Code definition. Case selection was based on date of original charge, gender of defendant (male) and victim (female), and nature of the relationship between defendant and victim (intimate partner cohabitating, married, or separated). Because the focus of our study was men who offended against their female intimate partner, we excluded cases involving violence between roommates, blood relatives, or in-laws, which currently are charged as domestic violence offenses under state code. Cases that did not result in conviction or had not been adjudicated by February 28, 2006 were excluded from the sample.

This study was approved by the University of Utah Institutional Review Board.

Measures

Data were collected from Salt Lake City Justice Court records by trained court staff and from Salt Lake City Police Department records by trained

police department staff. Two of the study's co-authors (LMO, AK) reviewed the abstracted data.

Conviction was defined as determination of guilt based on the defendant's plea or trial outcome. Date of adjudication was defined as the date the case was disposed of by the judge and no longer subject to further action of the court. The defendant's first domestic violence-related charge in Salt Lake City Justice Court during the specified time frame was labeled as the original offense (or index case) regardless of whether the subject had prior cases that pre-dated the study period.

The outcome variable of recidivism was defined as report to law enforcement of defendant involvement in criminal or harassing behavior (excluding minor traffic offenses) during a 1-year period following adjudication. Information on recidivism was gathered from Salt Lake City Police records and included any report (domestic violence or not domestic violence related) filed during the specified time frame in which the defendant was listed as a suspect or subject responsible for the threatening or harassing behavior, regardless of whether the report resulted in formal charges. See the appendix for a list of offenses included in the reports.

Three separate measures of noncompliance with court mandates prior to adjudication were used to define the predictor variable. These measures included the following: one or more failures to comply with domestic violence counseling (as reported to the court by treatment providers), one or more warrants issued by the court for failure to comply with court orders or conditions of probation, and one or more new offenses reported to the Salt Lake City Police Department in which the defendant was listed as subject or suspect. Other information abstracted included date of case filing, date of sentencing, date of adjudication (case closure), dates of new offenses pre- and postsentencing, and time, date, and location of new offenses within 1 year following adjudication within Salt Lake City Police Department's jurisdiction.

Statistical Analysis

Case characteristics of the sample were compared between recidivism-based groups using Fisher's Exact Test and logistic regression. Characteristics found to be significantly different between the two groups were tested for associations with any preadjudication noncompliance. These variables were considered as potential confounders in further multivariable logistic models; to control for correlated covariates, only one confounder was included. Multivariable logistic regression was used to estimate the odds of recidivating for those who exhibited any preadjudication noncompliance compared to

the odds of recidivism in those who did not. The measures of preadjudication noncompliance found to be significantly associated with recidivism were grouped by frequency of noncompliant events and regressed to determine whether increased incidence of noncompliance was associated with increased likelihood of recidivism. Data were managed in Excel and analyzed using SAS 9.1.

Results

Table 1 illustrates the distribution of case characteristics by recidivism status. Among a total of 220 cases, the majority (82%, $n = 180$) did not recidivate. Those defendants that did recidivate (18%, $n = 40$) spent more than the standard 12 months ordered under court supervision ($p = .044$) and had more review hearings scheduled ($p = .012$) compared to those who did not recidivate. Defendants who recidivated were also more likely to have had more than one report of treatment noncompliance ($p = .014$), more than one warrant issued ($p = .03$), and more than one law enforcement offense ($p < .0001$) prior to adjudication than those who did not recidivate. The majority of cases in each group were sentenced between 1 and 6 months from the date of report for the offense for which they were charged (78% recidivating, 84% nonrecidivating). We did not find any significant differences in age of the defendants or months from index case to sentencing between the two groups.

Table 2 shows the association between the predictor variable of having at least one indicator of any of the three types of preadjudication noncompliance and the outcome variable of recidivism. After adjusting for the number of hearings, the odds of recidivating for defendants who exhibited any measure of noncompliance prior to adjudication was four times the odds of recidivating for defendants who exhibited no indicators of preadjudication noncompliance (aOR = 4.2; 95% CI = 1.2-14.6).

As shown in Table 3, when each of the three separate measures of preadjudication noncompliance was stratified according to number of noncompliant incidents recorded, we found that the odds of recidivism for defendants who had two or more incidents of law enforcement preadjudication noncompliance were over seven times the odds of recidivism for defendants who had none (95% CI = 3.0-19.7), when controlling for the number of hearings. Defendants who had two or more incidents of treatment noncompliance and who had two or more warrants issued by the court while on probation were not more likely to recidivate as those who had no incidents of treatment noncompliance or warrants issued during that time.

Table 1
Case Characteristics (N = 220)

Variable	Recidivating (n = 40)		Nonrecidivating (n = 180)	
	n	%	n	%
Age of defendant (years)				
25 and Under	9	22.5	51	28.3
26-30	3	7.5	29	16.1
31-35	8	20.0	33	18.3
36-40	9	22.5	24	13.3
41-45	6	15.0	21	11.6
Over 45	5	12.5	22	12.2
Months from index case to sentencing				
0	3	7.5	5	2.8
1-3	22	55.0	84	46.7
4-6	9	22.5	67	37.2
7-9	5	12.5	10	5.6
10 or more	1	2.5	14	7.8
Months from sentencing to adjudication*				
Less than 12	9	22.5	38	21.1
12	13	32.5	94	52.2
More than 12	18	45.0	48	26.7
Number of review hearings*				
0	2	5.0	13	7.2
1-3	4	10.0	35	19.4
4-6	16	40.0	98	54.5
7-9	15	37.5	25	13.9
10 or More	3	7.5	9	5.0
Measures of preadjudication noncompliance				
Treatment noncompliance*				
<i>(Reported by treatment providers to Salt Lake City Justice Court)</i>				
0	25	62.5	136	75.6
1	5	12.5	30	16.7
2	5	12.5	9	5.0
3	4	10.0	2	1.1
4 or more	1	2.5	3	1.7
Number of warrants issued*				
<i>(Reported by Salt Lake City Justice Court)</i>				
0	13	32.5	102	56.7
1	12	30.0	43	23.9
2	8	20.0	16	8.9
3	3	7.5	11	6.1
4 or more	4	10.0	8	4.4

(continued)

Table 1 (continued)

	Recidivating (<i>n</i> = 40)		Nonrecidivating (<i>n</i> = 180)	
	<i>n</i>	%	<i>n</i>	%
Law enforcement offenses preadjudication* (Reported by Salt Lake City Police Department)				
0	7	17.5	97	53.9
1	6	15.0	39	21.7
2	8	20.0	18	10.0
3	5	12.5	9	5.0
4 or more	14	35.0	17	9.4

*Significant association with outcome variable of recidivism at $p < .05$.

Table 2
Adjusted Odds of Recidivism for Cases Showing Any
Form of Preadjudication Noncompliance (*n* = 220)

	Recidivating (<i>n</i> = 40)		Nonrecidivating (<i>n</i> = 180)	
	<i>n</i>	%	<i>N</i>	%
Preadjudication Noncompliance = Yes	37	92.5	127	70.6
Preadjudication Noncompliance = No	3	7.5	53	29.4

Note: aOR = 4.2 95% CI = (1.2-14.6).

Table 3
Logistic Regression Predicting Postadjudication Recidivism by
Degree of Preadjudication Noncompliance (*n* = 220)

Variable	OR	95% CI
Treatment noncompliance		
0	1.0	Ref
1	0.8	(0.3-2.3)
2 or more	2.7	(0.9-8.3)
Number of warrants		
0	1.0	Ref
1	1.9	(0.8-4.8)
2 or more	2.6	(0.9-7.0)
Law enforcement offenses preadjudication		
0	1.0	Ref
1	2.1	(0.7-6.6)
2 or more	7.7	(3.0-19.7)

Discussion

Our study has three main findings regarding the value of monitoring preadjudication noncompliance as a predictor of risk for postadjudication recidivism in domestic violence defendants. First, defendants who were reported to have had at least one incident of any form of preadjudication noncompliance were more likely to recidivate than those for whom no noncompliance was reported. Second, we found that defendants who had two or more reports of law enforcement noncompliance preadjudication were the most likely to have reports of law enforcement involvement postadjudication, and this likelihood increased with the number of law enforcement-related noncompliance incidents observed. Finally, we found a trend that was not statistically significant for defendants with two or more reports of noncompliance related to treatment and number of warrants to be more likely to recidivate. These findings indicate the potential value of documenting the frequency and type of noncompliance with court orders, especially in the area of law enforcement noncompliance and including these factors in the development of risk assessments for defendants under supervision. Our results also illustrate the importance of considering multiple sources of information on defendants' noncompliant behavior and of communicating this information to all agencies that have a role in maintaining offender accountability and increasing victim safety.

Defendants who were reported to have had at least one incident of any form of preadjudication noncompliance were four times as likely to recidivate as those for whom no noncompliance was reported. While prior studies assessing predictors of further violence in domestic violence offenders have focused on either demographic factors or past offender behavior outside of the court setting (Bowen et al., 2005; Heckert & Gondolf, 2002; Hilton et al., 2004; Kaukinen, 2004; Kingsnorth, 2006; Kyriacou et al., 1999), our findings indicate that when a coordinated community response is employed in the form of a specialized domestic violence court program, the potential for reoffense can be evaluated by observing defendant behavior during the course of their participation in the court system. For instance, the court and court advocates could be alerted when a second warrant is issued or new police reports are filed indicating a defendant's involvement in criminal or harassing behavior. These reports can then be considered in determining the necessary level of defendant supervision. This method of evaluation requires thorough tracking of defendants' behavior, and communication between police agencies, prosecuting agencies, and the court. Such communication could increase victim safety by supporting an institutional

shift away from relying on victim participation to hold perpetrators accountable. This is important because victims may not know how to notify the court of new offenses, may be fearful of doing so because of safety concerns, or may be unaware of new offenses that do not directly involve them.

Our analyses indicated that when observing noncompliance indicators separately, having two or more reports of any single measure of noncompliance could indicate an increased likelihood of recidivism, while having only one incident reported was not. While the majority of defendants were observed to have one report of treatment noncompliance, one warrant issued for noncompliance with court orders, or one report of involvement with law enforcement, having one indicator of noncompliance alone did not indicate a trend or appear to be associated with recidivism. One possible interpretation of this finding that merits continued study is that additional incidents of noncompliance were prevented by sanctions imposed by the court in response to the defendant's initial incident of noncompliant behavior. We found that defendants with two or more reports of law enforcement noncompliance preadjudication were the most likely to have reports of law enforcement involvement postadjudication, and that this likelihood increased with the number of law enforcement-related noncompliance incidents observed. While there are several possible interpretations of this observation, the explanation most strongly supported by prior criminal justice research is that the best predictor of future criminal behavior is past criminal behavior (Bowen et al., 2005; Casey & Rottman, 2005; Hanson & Wallace-Capretta, 2004).

While the findings of our study are significant, there are limitations that must be considered. Demographic factors unique to the population of Salt Lake City and systematic factors unique to the city's Justice Court and Police Department may limit the applicability of these results to other populations. Another limitation is that while we defined recidivism as any report of law enforcement involvement, we know that law enforcement records tend to underestimate the actual occurrence of new criminal behavior, and thus we may have conservatively estimated this effect on defendant behavior. We were also limited in our data collection on noncompliance indicators and postadjudication recidivism to cases within one jurisdiction, therefore open cases in other jurisdictions were not captured. In addition, the parameters for types of offenses included in our law enforcement recidivism measure both pre- and postadjudication were fairly broad, which could account for this being the category of noncompliance with the highest incidence rates. We also did not differentiate between those offenses included in the outcome variable that were domestic related and those which were not, or those which were violent offenses and those which were

nonviolent violations of the law. This could potentially yield more specific information regarding risk of violence to past or new victims, although prior research indicates that involvement in any unlawful behavior is positively associated with perpetration of violence in domestic violence offenders. Finally, our sample size was limited by the number of defendants seen in the domestic violence court during our study period. It is possible that a larger sample size would show a statistically significant finding regarding noncompliance for number of warrants and treatment.

Conclusion

Our study results illustrate the importance of establishing protocols for tracking treatment and probation compliance as well as conveying this information to victims and victim service providers. The coordination of defendant tracking activities across multiple agencies and jurisdictions often requires additional personnel and resources that many courts do not have access to (Buzawa & Buzawa, 2003; Gover et al., 2003), but our study shows that coordination is critical to maintaining current information on risk factors for reoffense which can assist victims and their advocates in safety planning.

Further studies are justified to enhance our understanding of the interaction of various defendant and case characteristics in predicting further offenses. For instance, following this same population for longer than 1 year postadjudication would show whether predictions would hold true over a longer period of time. In addition, the validity of the current findings could be extended by collecting additional demographics and background information through victim and offender surveys such as residential history, evidence of substance abuse, type of relationship with victim, level of education, and employment status. This information could be used to assess whether the strength of our predictor variables are consistent between offenders with differing characteristics. Follow-up interviews with victims to assess their feelings of safety to determine whether or not victims' perceptions are associated with indicators of reoffense could yield valuable information. The development and validation of new tools designed specifically to predict risk in offenders that have been sentenced and are under court supervision is important as victim advocates could use this information to help victims assess their level of danger when limited information is available on defendant background and history. With further research and validation, the behavioral factors identified in this study could be instrumental in strengthening the predictive power of existing risk assessments.

Meta-analysis of existing research on criminal justice and therapeutic interventions with domestic violence offenders indicates the need for further research on interaction between dynamic factors such as court sanctions while defendants are on probation and other independent variables such as defendant history in determining future recidivism (Bowen et al., 2005; Cattaneo & Goodman, 2005; Gondolf, 2004; Stover, 2005). While this study does not measure the impact of intervention, it does illustrate the association between preadjudication noncompliance and postadjudication indicators of recidivism and presents the groundwork for further analysis of the interaction between variables that may affect defendant behavior.

Appendix

Salt Lake City Offense Codes and Descriptions

Code	Description
Rape/sexual assault	
1103-0	Sexual assault—Rape strong-arm
Robbery	
1202-0	Robbery—Business Id weapon
1205-0	Robbery—Street Id weapon
Assault	
1301-0	Assault aggravated—Family gun
1302-0	Assault aggravated—Family Id weapon
1305-0	Assault aggravated—Nonfamily Id weapon
1312-0	Assault aggravated—Police officer strong-arm
1313-0	Assault aggravated—Family strong-arm
1316-1	Assault—Intimid/written/electronic
1316-2	Assault—Intimid/threats/physical
1316-3	Assault—Intimid/threats/telephonic
1316-4	Assault—Intimidation/stalking
1316-15	Assault—Threat to bomb
1316-16	Assault—Threat to burn
1399-0	Assault—Threats free text
1399-2	Assault—Workplace violence/threats
1399-4	Assault—Violation of a stalking injunction
Burglary	
2203-0	Burglary—Force entry nonresident
2205-0	Burglary—No force entry nonresident
Larceny	
2303-0	Larceny—Shoplifting
2305-0	Larceny—From motor vehicle
2308-0	Larceny—From building
2399-0	Larceny—Free text

(continued)

Appendix (continued)

Code	Description
Auto theft	
2499-16	Stolen vehicle—Breach of trust
Fraud	
2604-0	Fraud—Impersonation
Damaged property	
2902-0	Damaged property—Private vehicle
2902-1	Damaged property—Private
2999-0	Damaged property—Free text
Drugs	
3512-0	Drug—Heroin possession
3532-0	Drug—Cocaine possession
3542-0	Drug—Synthetic narcotic possession
3543-0	Drug—Synthetic narcotic free text
3550-0	Drug—Narcotic equipment possession
3562-0	Drug—Marijuana possession
3599-1	Drug—Found narcotics equipment
3599-2	Drug—Found/surrendered
Sex offenses	
3605-1	Sex offense—Indecent exposure child
3699-0	Sex offense—Free text
Family offenses	
3801-0	Family offense—Neglect of family
3802-0	Family offense—Cruelty to child/abuse
3802-1	Family offense—Abuse adult
3806-0	Family offense—Neglect child
3899-0	Family offense—Free text
3899-8	Family offense—File of protective order
3899-9	Family offense—Violation of protective order
3899-10	Family offense—Domestic criminal nature
3899-11	Family offense—Domestic violence noncriminal
3899-12	Family offense—Violation of no contact order
Liquor violations	
4104-0	Liquor—Possess illegally
Obstructing police	
4801-1	Obstructing police—Failure to stop for police
4802-0	Obstructing police—Criminal investigation
4803-0	Obstructing police—Making false report
4805-0	Obstructing police—Dissuade witness
Flight/escape	
4902-0	Escape—Warrants all in state
Weapons offenses	
5203-0	Weapons—Explosive use

(continued)

Appendix (continued)

Code	Description
Public peace	
5309-0	Public peace—Harassing communication
5311-0	Public peace—Disorderly conduct
5399-12	Public peace—Disturbing the peace
5399-23	Public peace—Mentally ill subject
5399-28	Public peace—Suspicious activity
Traffic offenses	
5401-0	Traffic—Hit and run
5499-5	Traffic—Moving traffic violation
5499-7	Traffic—Reportable accident
5499-12	Traffic—Impound/abandon vehicle
5499-44	Traffic—Alcohol in or about a vehicle
Invasion of privacy	
5707-0	Privacy—Trespass
Public order crimes	
7399-1	Public order—Ambulance sick calls
7399-3	Public order—Civil cases
7399-5	Public order—Found property
7399-11	Public order—Suicide attempt
7399-17	Public order—Business license
7399-26	Public order—Public intoxication
7399-28	Public order—Community action team
7399-40	Public order—Citizen assist

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Asha Parekh, LCSW, is the director of the Salt Lake Area Safe at Home Coalition Project administered by the YWCA of Salt Lake City. She has 10 years of experience in the domestic violence field, providing advocacy and case management services and special expertise working with diverse populations.

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Court Compliance as a Predictor of Post Adjudication Recidivism for Domestic Violence Offenders

Lenora M Olson, PhD, Alana Kindness, MPH, Han Kim, PhD, Steve Alder, PhD, Asha Parekh, MSW
University of Utah School of Medicine, Salt Lake City, Utah and YWCA of Salt Lake City



Introduction

Intimate partner violence (IPV) is a serious public health problem in the United States, disproportionately affecting women. The complex nature of IPV calls for an integrated approach by practitioners and researchers in many fields. One response has been the development of specialized domestic violence courts designed to prevent further IPV-related offenses by changing offender behavior using therapeutic interventions including mental health treatment and probation. These courts use measures such as mandatory treatment and regular review hearings to monitor defendants' compliance with court orders while under court supervision.

Objective

Evaluate whether defendants' behavior while under the supervision of a specialized domestic violence court based intervention is predictive of further violent or harassing behavior.

Methods

- Data derived from Salt Lake City Specialized Domestic Violence court data for misdemeanor cases prosecuted from 1/1/2003-12/31/2004 and Salt Lake City Law Enforcement records for one year post adjudication of case.
- Case selection was based on gender of defendant (male) and victim (female), nature of relationship (intimate partner, cohabitating, married, or separated).
- Recidivism defined as report to law enforcement of defendant involvement in criminal or harassing behavior for one year after court case was closed (post-adjudication).
- Non-compliance defined as failure to attend treatment, warrants issued, new offenses reported to law enforcement while under court supervision.
- IRB approved use of databases for this analysis.

Statistical Analysis

- Means and frequencies
- Chi-square test for association
- Multivariable logistic regression to estimate the odds of recidivating for those who exhibited any pre-adjudication non-compliance compared to those who did not.

Variable	OR	95% CI
Treatment Non-Compliance		
0	1.0	ref
1	0.8	(0.3 - 2.3)
2 or More	2.7	(0.9 - 8.3)
Number of Warrants		
0	1.0	ref
1	1.9	(0.8 - 4.8)
2 or More	2.6	(0.9 - 7.0)
Law Enforcement Offenses Pre-Adjudication		
0	1.0	ref
1	2.1	(0.7 - 6.6)
2 or More	7.7	(3.0 - 19.7)

Results

- 220 cases involved male defendants charged with a misdemeanor offense and prosecuted in the DV court.
- Mean age = 32 years
- Compared to the defendants that did not recidivate (n=180), the defendants that did recidivate (n=40):
 - Spent more than standard 12 months under court supervision
 - Had more review hearings scheduled
 - More than one report of treatment non-compliance
 - More than one warrant issued
 - More than one law enforcement offense while under court supervision

	Recidivating (n=40)		Non-Recidivating (n=180)	
	n	%	n	%
Pre-Adjudication Non-Compliance = Yes	37	92.5	127	70.6
Pre-Adjudication Non-Compliance = No	3	7.5	53	29.4
OR: 4.2 95% CI: (1.2 - 14.6)				

Discussion

We have three main findings regarding the value of monitoring pre-adjudication non-compliance as a predictor of risk for post-adjudication recidivism in domestic violence defendants.

- Defendants with at least one incident of any form of pre-adjudication non-compliance were four times more likely to recidivate than those for whom no non-compliance was reported.
- Defendants with two or more reports of law enforcement pre-adjudication non-compliance were seven times more likely to recidivate than those for whom no non-compliance was reported.
- Defendants with two or more warrants showed a trend to be more likely to recidivate but this was not statistically significant.

Conclusions

- The potential for defendant re-offense can be evaluated by observing defendant behavior during the course of the defendants' participation in the court system.
- The information on non-compliance can be shared with victims and advocates to assist in safety planning efforts. For instance, the court and court advocates could be alerted when new police reports are filed indicating a defendant's involvement in criminal or harassing behavior.
- The communication can increase victim safety by supporting an institutional shift away from relying on victim participation to hold perpetrators accountable. This is important because victims may not know how to notify the court of new offenses, may be fearful of doing so because of safety concerns, or may be unaware of new offenses that do not directly involve them.

Pre-Adjudication Court Compliance as a Predictor of Post-Adjudication Recidivism Among Male Domestic Violence Offenders in Salt Lake City Justice Court

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Partially supported by Salt Lake Area Safe at Home Coalition

Background- National

- Approximately three women are killed by their boyfriend or husband each day in America
- 31% of American women report having been assaulted by a boyfriend or husband
- 1.5 million women experience intimate partner violence, rape, physical assault, or stalking annually
- The estimated cost of meeting the medical and mental health care needs of women who are victimized by an intimate partner is nearly \$4.1 billion yearly

Background-Utah

- In 2005, there were 65 domestic violence-related deaths of adults ages 18 and older.
 - Of the 65 deaths, 44 were suicides and 21 were homicides.
- In 2005 and 2006, 60% of Utah homicides were domestic violence related
- 17.7% of female respondents to a 2004 survey in Utah reported having been victims of domestic violence in their lifetime

Background

- Criminal justice and public health intersect with goal of preventing domestic violence
- Criminal justice approach shifting from punitive to restorative
 - Justice Courts: court specialization where offenders participate in therapeutic services with goal of effecting long term behavior change of offender and prevent recurrence of violent behavior
- Courts concentrate on offender management, yet often leave victim safety needs out of the process
- Advocacy programs provide resources and safety planning for victims
- Safety planning for victims requires rigorous analysis and implementation of evidence based strategies

Background

- Only known consistent predictor of future re-offense is history of prior offense
- Victims, advocates, and courts may have limited information on defendants' past behavior
- Risk and Danger Assessments
 - Some predictive power but limited
 - One time static measure
 - Require feedback from offender, victim, or both
- Need to identify predictors of recidivism when available information regarding offender behavior is limited
- Indicators of risk can be used by advocates to assist victims with safety planning

Research Question

For **male domestic violence offenders** prosecuted in the Salt Lake City Justice Court between January 1, 2003 and December 31, 2004, is there a correlation between **pre-adjudication non-compliance** (defendant's failure to abide by court orders) and **post-adjudication recidivism** (report of re-offense) indicated by Salt Lake City police incident reports within one year following adjudication (case closure)?

Methods

- Design
 - Retrospective cohort analysis
- Secondary analysis of existing records
 - Salt Lake City Justice Court
 - Salt Lake City Police Department

Subjects

- Male defendants
- Charged with domestic violence related offense
- Between January 1, 2003 and December 31, 2004
- Victim was female intimate partner
- Resulted in conviction
- Adjudicated by February 28, 2006

Data Sources

- Salt Lake City Justice Court Records
 - Index Case Date, Sentencing Date, Adjudication Date
 - Age of Defendant at Index
 - Indicators of Pre-Adjudication Non-Compliance
 - Warrants, Notifications from Treatment Providers
- Salt Lake City Police Department Incident Reports
 - Age, Sex of Victim, Relationship to Victim
 - Indication of Re-Offense
 - Reports of disruptive/criminal behavior
- Time Calculated
 - Time from Index to Sentencing
 - Time from Sentencing to Adjudications

Outcome Measure: Recidivism

- Salt Lake City Police reports filed within one year of adjudication, listing defendant as subject or suspect regardless of designation of domestic violence by police investigator

Predictor: Pre-Adjudication Non-Compliance

- Indication of any of the following:
 - Treatment non-compliance (Justice Court)
 - Failure to Appear
 - Failure to pay fines/fees
 - Probation violation
 - Other Justice Court non-compliance
 - New offenses reported to Salt Lake City Police Dept.

Basic Terms

- Domestic Violence
 - Intimate partner, currently or formerly living together
- Non-Compliance
 - Indication of failure to comply with court orders or conditions of probation (i.e., # of warrants issued, # of review hearings)
- Recidivism
 - Report to law enforcement listing defendant as suspect or subject of aggressive, harassing or criminal behavior (i.e., trespassing, assault, threats, violation of protective order)
- Adjudication
 - Case closure, no longer under court jurisdiction

Analysis:

- Logistic regression used to evaluate which variables affect recidivism (Independent variable was recidivism y/n)
- Intercooled Stata version 8.2 used for analysis
- IRB approved study

RESULTS

Characteristics of Recidivating and Non-Recidivating Defendants (N=220)

Variable	Recidivating		Non-Recidivating	
	f	%	f	%
Age of Defendant				
Under 25	9	22.5	51	28.3
26-30	3	7.5	29	16.1
31-35	8	20.0	33	18.3
36-40	9	22.5	24	13.3
41-45	5	15.0	21	11.6
Over 45	5	12.5	22	12.2
Total	40	100.0	180	100.0

Characteristics (Continued)

Variable	Recidivating		Non-Recidivating	
	f	%	f	%
Number of Review Hearings				
0	2	5.0	12	7.2
1-3	4	10.0	35	19.4
4-6	16	40.0	98	54.5
7-9	15	37.5	25	13.9
10 or More	3	7.5	9	5.0
Total	40	100.0	180	100.0
Number of Warrants Issued				
0	13	32.5	102	56.7
1	12	30.0	43	23.9
2	8	20.0	15	8.9
3	3	7.5	11	6.1
4 or More	4	10.0	8	4.4
Total	40	100.0	180	100.0

Variable	Recidivating		Non-Recidivating	
	f	%	f	%
Months from Index to Sentence				
0	3	7.5	5	2.8
1-3	22	55.0	84	48.7
4-6	9	22.5	67	37.2
7-9	5	12.5	10	5.6
10 or More	1	2.5	14	7.8
Total	40	100.0	180	100.0
Months from Sentence to Disposition				
Less than 12	9	22.5	38	21.1
12	13	32.5	94	52.2
More than 12	18	45.0	48	26.7
Total	40	100.0	180	100.0

Variable	Recidivating		Non-Recidivating	
	f	%	f	%
Treatment Related Non-Compliance				
Yes	25	62.5	136	75.6
No	15	37.5	44	24.4
Total	40	100.0	180	100.0

Comparison of Recidivism by Pre-Adjudication Non-Compliance Status (Unadjusted)

Recidivism	Pre-Adjudication Non-Compliance		Total
	Yes	No	
Yes	37	3	40
No	127	53	180
Total	164	56	220

OR: 5.1 95% CI: 1.5, 27.1

Comparison of Recidivism by Pre-Adjudication Non-Compliance Status: Treatment Only

Recidivism	Pre-Adjudication Treatment Related Non-Compliance		
	Yes	No	Total
Yes	15	25	40
No	44	136	180
Total	59	161	220

OR: 1.9 95% CI: 0.8, 4.0

Logistic Regression of Offender and Case Characteristics: Association with Recidivism

Variable	OR	95% CI
Age	1.0	0.8, 1.0
Number of Review Hearings	1.1	1.0, 1.2
Number of Warrants	1.3	1.1, 1.6
Time from Index to Sentence	0.9	0.8, 1.0
Time from Sentence to Disposition	1.0	0.9, 1.1
Pre-Adjudication Non-Compliance Adjusted for Review Hearings	4.2	1.2, 14.6

Post-Adjudication Recidivism by Degree of Pre-Adjudication Non-Compliance (n=220)

Variable	OR	95% CI
Treatment Non-Compliance		
0	1.0	ref
1	1.1	(0.4 - 3.0)
2 or More	5.7	(2.2 - 15.2)
Number of Warrants		
0	1.0	ref
1	2.2	(0.9 - 5.2)
2 or More	3.4	(1.5 - 7.8)
Law Enforcement Offenses Pre-Adjudication		
0	1.0	ref
1	2.1	(0.7 - 6.7)
2 or More	8.5	(3.1 - 21.0)

Discussion

- Results indicate that male defendants who exhibit some form non-compliance prior to adjudication have higher odds of recidivating post-adjudication than those who do not.
- Victims should be kept informed of defendant compliance throughout the court process to assist in safety planning.
- Effective risk reduction requires an understanding of the interaction between various elements impacting and impacted by offender behavior

Limitations

- Demographic factors and systematic factors unique to the city's Justice Court and Police Department may limit generalizability of findings
- Used pre-collected data from courts and police
- Information on recidivism reliant solely on police records from one jurisdiction
- Police records may underestimate occurrence of criminal behavior and we did not differentiate between DV and non-DV police offenses as well as violent and non-violent offenses
- No comparison group

Further Research

Current Study

- Analysis of degree of non-compliance (number of incidents recorded) by recidivism
- Analysis of non-compliance/recidivism by point in time relative to arrest, ie. beginning of treatment, completion of treatment, etc.
- Analysis by initial charge filed versus outcome charges
- Analysis of outcome variable by type of offense, ie. Criminal/Non-Criminal; DV/Non-DV; Alcohol Related
- Re-examine subjects for recidivism at 18 months, 24 months, 36 months, etc.

Further Research Studies

- Include defendant history as gathered from court records, law enforcement, self-report, and victim report
- Expand ability to capture occurrence of new offenses by jurisdiction, and complement with defendant and victim interviews (e.g., what are victim's perception of safety and offender re-offense?)
- Comparison with other specialized domestic violence courts to determine whether results are consistent
- Use results to develop new risk assessment tools for victims of domestic violence in cases that have resulted in conviction and court supervision.

Acknowledgements

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- The Honorable Judge John Baxter, Justice Court
- Jacquee Williamson
- Heather Keenan, Alison Edwards, IICRC
- Mark Ogea

EXHIBIT 5

Reporting Period July 1, 2009 – September 30, 2009

Goal I, Objective A

During this reporting period 278 Domestic Violence cases were filed. Attached is a breakdown of the caseload in the Domestic Violence court for this period. The attached report also documents the demographics of the average offender with statistics taken from the responses to our demographic questionnaire (also attached). The in-court clerks put the questionnaires in all designated Domestic Violence cases that are set on the arraignment calendars. When a defendant pleads guilty to a domestic violence charge, the Judge asks them to fill out the questionnaire, the completed questionnaires are then given to me to be entered into the system. This information is available to the public via the Justice Court website and can be viewed by any specified period. The statistics that I have entered are current for this reporting period, there are no backlogs of past demographic data in need of updating.

Reporting Period July1, 2009 – September 30, 2009

Goal I, Objective B

As the Domestic Violence court clerk, I review all cases that are set for DV Review Hearings; I review these cases on a weekly basis. DV Review Hearings occur every other Monday afternoon and usually have about seventy cases set on each review calendar. Review of these cases involves evaluation of sentencing conditions and progress made by the defendant in meeting those conditions. Every week I go through each file to determine which files are in need of a current treatment update, and also note the progress made by the defendant towards community service and court costs. When a files needs a current treatment update I contact each individual treatment provider to make the treatment update request, once I receive the treatment update I enter it into Jems. Every attempt is made to ensure that each file will have an update no less than a week old so the Judge is provided with the most current information before defendant appears for review.

Reporting Period July 1, 2009 – September 30, 2009

Goal II, Objectives A, B, C

Every week while reviewing the DV Review Hearing calendar, I separate the files into four groups. The four groups are organized by which treatment agency the case is assigned to. The four groups are; Valley Mental Health cases, Cornerstone cases, Sequoia cases, and other/no agency yet assigned cases. These three treatment agencies are the most commonly used treatment providers for court-ordered treatment, and the other/no agency yet assigned cases are for cases in which the defendant is doing treatment at a private agency other than those three providers, or the case has not been assigned a treatment provider yet. After the files have been separated I type a list of each case including which treatment agency they are assigned to. This list is sent to all three treatment agencies along with the Victims Advocate Coordinator at the Salt Lake City Prosecutors office. This list shows the treatment agencies which clients they will need progress reports for and shows the Victims Advocate Coordinator which defendants will need to be researched for current police contact. Every other Wednesday afternoon a DART meeting is scheduled, during the DART meeting the Judge meets with the three treatment agency representatives to talk about the progress made by each defendant. The Judge then decides how to further proceed on each case based on the compliant or non-compliant reports he gets from the treatment agency representatives. After the DART meeting I collect all the hard copy progress reports to enter them into Jems.

Reporting Period July 1, 2009 – September 30, 2009

Goal III, Objectives A, B

As the Domestic Violence court clerk I perform intensive case management on all cases with an active No Contact Order, and cases with an active high-priority service warrant. NCO's are issued in cases where the risk of harm to the victim is elevated and high-priority service warrants are issued when a defendant is excessively non-compliant and/or poses a particular threat to the safety of the victim. I run reports once a month for all cases with active NCO's and active high-priority service warrants. I check each of these cases on Jems and on Statewide to make sure they have been entered correctly, so that all agencies using these systems are getting the correct information. I receive information monthly from the Victims Advocate Coordinator as to whether any violations of NCO's have occurred. This information is then brought to the Judge's attention. Special attention is given to files where violation of the NCO occurs simultaneously with non-compliance with other court orders, including treatment orders.

Reporting Period October 1, 2009 – December 31, 2009

Goal I, Objective A

During this reporting period, we have seen 236 domestic violence cases filed. Attached is a breakdown of the caseload in the domestic violence court for this period. The attached report also documents the demographics of the average offender with statistics taken from the responses to our demographic questionnaire (also attached). The in-court clerks place the questionnaire in all post-adjudicated domestic violence cases. The completed questionnaires are then given to me to be entered into the system. Data collection is anonymous: no names are associated to responses. This information is available to the public via the Justice Court website and can be viewed by any specified period. During this reporting period 87 questionnaires were completed. The statistics that I have entered are current for this reporting period, there are no backlogs of past demographic data in need of updating.

Reporting Period October 1, 2009 – December 31, 2009

Goal I, Objective B

As the domestic violence court clerk, I review all cases that are set for DV Review Hearings with Judge Baxter. I review these cases on a weekly basis. DV Review Hearings occur every other Monday afternoon and usually have about seventy cases set on each review calendar. Review of these cases includes evaluation of sentencing conditions and progress made by the defendant in meeting those conditions, compiling a treatment history and checking for current updates from the treatment provider, noting compliance or non-compliance with treatment, flagging important information in the files for the Judge's attention, and also noting the progress made by the defendant towards community service and court costs. When files are in need of a current treatment update, I contact each individual treatment provider to make the treatment update request. Treatment update requests are made by phone, fax, or email. Once I receive the treatment update, I enter it into Jems. Every attempt is made to ensure that each file will have an update no less than a week old so the Judge is provided with the most current information before defendant appears for review. An estimated 490 cases have been scheduled on the DV Review Hearing calendars for this reporting period.

Reporting Period October 1, 2009 – December 31, 2009

Goal II, Objective A, B, C

Every week while reviewing the DV Review Hearing calendar, I separate the files into four groups. The four groups are organized by which treatment agency the case is assigned to. The four groups include; Valley Mental Health, Cornerstone, Sequoia, and other/no agency yet assigned cases. These three treatment agencies are the most commonly used for court-ordered treatment. The other/no agency yet assigned cases are for cases in which the defendant is doing treatment at a private agency other than those three providers, or the case is scheduled for an evaluation which will then determine which agency the defendant will be assigned to. When a case has not been assigned a treatment provider, the Judge will take into account the defendant's salary, residency, and treatment history to ensure the defendant will get the best treatment for his/or her situation. After the files have been separated I type a list of each case, including name, date of birth, case number, and which treatment agency they are assigned to. This list is sent to all three treatment agencies along with the Victims/Witness Coordinator at the Salt Lake City Prosecutors Office. This list shows the treatment agencies which clients they will need to get progress reports for, and shows the Victims/Witness Coordinator which defendants will need to be researched for current police contact. Every other Wednesday afternoon a DART meeting is scheduled. DART is an acronym for; DV Assessment and Review Team. During the DART meeting the Judge meets with the three treatment agency representatives and the Victims/Witness Coordinator to talk about the progress made by each defendant. The Judge then decides how to further proceed on each

case based on the compliance or non-compliance reports he gets from the treatment agency representatives. After the DART meeting I collect all the hard copy progress reports to enter into Jems.

Reporting Period October 1, 2009 – December 31, 2009

Goal III, Objectives A, B

As the domestic violence court clerk, I have continued to perform intensive case management on all cases with an active No Contact Orders, and cases with an active high-priority service warrant. NCO's are issued in cases where the risk of harm to the victim is elevated and high-priority service warrants are issued when a defendant is excessively non-compliant and/ or poses a particular threat to the safety of the victim. I receive information from the Victims/Witness Coordinator as to whether any violations of NCO's have occurred, if there has been a violation, the Judge is notified immediately. I also run reports from Jems once a month for all cases with active NCO's and high-priority service warrants. I check each of these cases on Jems and on Statewide to make sure they have been entered correctly; this ensures that the agencies using these systems are getting the correct information. During this reporting period 14 NCO's have been issued in the Salt Lake City Justice Court.

March 30, 2010

Vice President, Walmart Stores
702 SW 8th Street
Bentonville, AR 72716-8611

Dear Mr/Mrs XX:

I am writing to express my sincere thanks for your time to meet with me at the Walmart Corporate Offices last month. I am grateful for the invitation by Delia Garcia to travel to Bentonville, and truly appreciate the opportunity to meet with you and others to talk about your planned store in Salt Lake City.

While I am still not personally supportive of rezoning the property given the nature of the proposals we have been presented with to date, I appreciated the sincerity of all with whom I visited, and your willingness to discuss and consider other approaches. I think we can do better than remodeling the existing building, but we will all have to stretch to get there.

I came away from two days of intense meetings within your organization with five key messages that give me great hope of finding a win-win solution. I heard these messages repeated over and over again, especially during the Saturday morning manager meeting. These seem to me to be core values of the Walmart mission and central themes to your brand:

1. Be innovative and not just do things the way they've been done before
2. Be ahead of industry trends and think outside the box
3. Always put customers and community first
4. Saving money and improving peoples lives will help them live better
5. Support efforts for long-term sustainability and conserving resources

The facility proposed in the Salt Lake City Council District that I represent, has been a controversial topic for many years. In order for us to consider the project a success, it will have to be a very different approach than the standard model used today. I know that such a model could ultimately help you to develop not only a successful store in Salt Lake City, but will also allow you access to a greater number of urbanized areas with large population centers throughout the country where you are currently restricted. Your mission of delivering low-cost goods is not mutually exclusive with our community vision of a walkable neighborhood with character and community identity, but is not well served with your present prototypes.

I realize that some of the ideas I shared for a multiple-building and mixed-use center in Salt Lake City are untested by your company. They are, however, tested in the retail industry in the US and throughout the world, and have proven very successful and profitable in a sustained way. Given your focus on efficiency and delivery, Walmart could probably make a mixed-use, community-oriented retail center even more successful.

This is a trend for the future, and one that Walmart could be driving and shaping. Not only because it is more sustainable long-term, but also because it will ultimately improve our lives and our communities. I know Walmart shares these values, because I heard these words over and over again. The "one-size-fits-all" approach is out. The "create communities with a heart and identity" approach is in.

Not only is it possible, but the community models for Walmart are part of your own company history, and the design solutions are right in front of you. One of the things that I was most impressed with during my visit to Bentonville was the few minutes spent at the original Walton 5 & 10 store. The building is simple, but is located in the heart of a community and cultural center that appears exquisite. The town square in Bentonville was, perhaps still is, an ideal place for community and social activity, and

the original “Walmart” was integral to it. Most of what I saw while driving around Bentonville, like so many places in America, was devoid of character, life, identity and appeal, and these places will ultimately fail as so many have already, because the parks have been replaced by parking lots, and everything that used to be connected and organic has become disconnected and formulaic.

What we most want to see in our Salt Lake City neighborhood where your store is proposed is a 21st-century version of the town square that I saw in Bentonville. I would welcome having Walmart be a part in creating something wonderful, that knits our community together aesthetically and socially, while it supports our community economically. We want you to share and be a part of our vision for our community. I think it’s what Sam Walton would most want to see in the evolution of the company today, because it’s consistent with the values he espoused throughout his life.

While I listened intently to a presentation on the “state of the company” on Saturday morning, I couldn’t help thinking that at this time of unprecedented financial success, surely there has never been a better opportunity nor the capacity to invest with us in making our community into a great place. Not the shopping center that your design team has developed for us from 2,000 miles away in Bentonville, but the place that we have defined for ourselves from within our community in Salt Lake City. I truly hope that Walmart will consider being our partner as we invest in a future together.

Thank you again for the opportunity to meet with you, and several others from your company. Delia has been wonderful to work with on an ongoing basis over the past few months, and I felt a great step forward with the invitation to come and share our community vision with you.

If you would like to visit further, please do not hesitate to contact me by phone (801) 706-1055 or by email at soren.simonsen@slcgov.com.

Sincerely,

Søren D. Simonsen
Salt Lake City Council Member
District Seven

Grant Submission Update Memo

TO: Dave Everitt, Cindy Gust-Jenson, Gina Chamness, Jennifer Bruno, Ben McAdams

FROM: Sarah Behrens

DATE: 3/5/2010

SUBJECT: Emergency Management Performance Grant

FUNDING AGENCY: Utah Office of Public Safety and Homeland Security

REQUESTED AMOUNT: \$ determined by appropriation

DEPARTMENT APPLYING: Emergency Management

COLLABORATING AGENCIES:

DATE SUBMITTED: March 5, 2010

SPECIFICS:

- Technical Assistance (Training) Equipment Only
- Provides __ FTE Position(s)
- Existing New Overtime Requires Funding After Grant

Explanation: _____

- Match Required 50% In Kind Cash
- Computer Software Development In House Contract Services
- New Program (City not performing function now)

GRANT DETAILS:

Provides funds for activities of the Office of Emergency Management