



# **Court Services Response to Family Violence**

**Illinois Family Violence Coordinating Councils  
Grants to Encourage Arrest Policies and  
Enforcement of Protection Orders**







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# **Court Personnel Promising Practices Mini-Toolkit**

- 4 Sections
    - Title and Section pages (for those who want to print them all out)
    - Quick Reference Guide Component
    - Training Component (including PowerPoint and handouts)
    - Resources Component
- 

# Role of Court Services

- Provide access to justice
  - Ensure safety of the victim
  - Ensure safety of the community
- 



# Role of Court Services

- While conducting routine duties, court personnel must use powers of observation to “read between lines” and be alert to clues of family violence.



# Power and Control Wheel



Courtesy Domestic  
Abuse Intervention  
Project

Duluth, MN

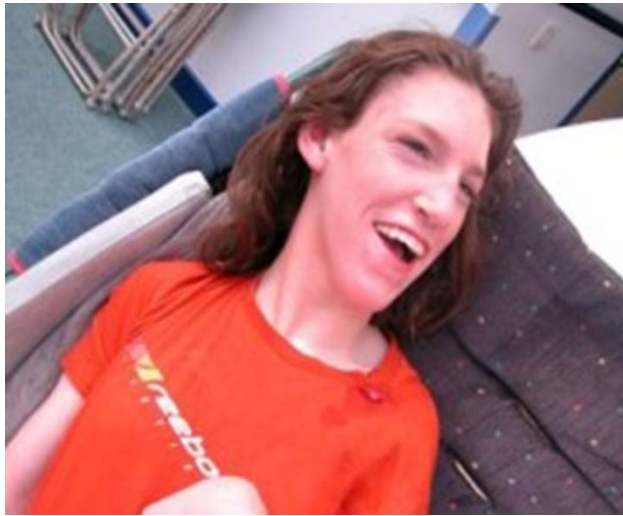


# P & C activity





# How might power & control look for a person with a disability or older adult?





# **Tactics – People with Disabilities and Older Adults**

- Seeks guardianship or power of attorney
- Withholds care & denies basic needs
- Threatens to end relationship and leave the person unattended
- Threatens to have person institutionalized



# **Tactics – People with Disabilities and Older Adults**

- Threatens to take away support services
- Takes assistive devices away
- Exposes disability (AIDS, mental illness)
- Blames disability/age for abuse
- Isolation



**QUESTIONS**





# How is the person acting?

- Fearful, anxious
- Reluctant to respond when questioned or hesitates in providing info
- Flat affect and/or detached
- Reluctant to speak in front of their partner
- Injuries, unhealthy



# What is their body language telling you?

- Distracted
- Disengaged
- Hyper-vigilant



# How are others acting?

- Hovering – isolating the victim
- Staring down the victim – “The Look”
- Manipulation of Court Personnel



# What are others saying?

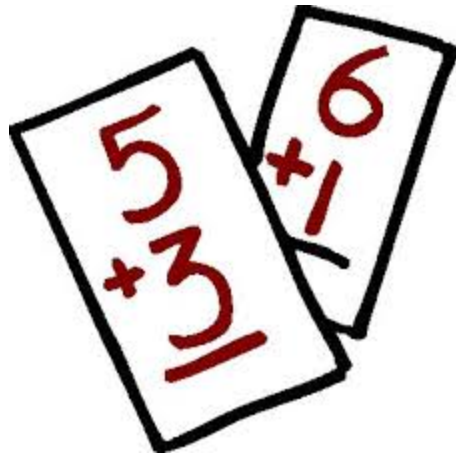
- Answers for or controls communication
- Denies or minimizes violence
- Talks about own problems
- Talks about themselves as a martyr
- Speaks disrespectfully or belittles the victim
- Has a condescending attitude





# Whole Picture

Family Violence is like a math problem. Add all the pieces together:




$$\begin{array}{r} \text{Victim Statements \& Actions} \\ + \text{Body Language} \\ + \text{Abuser Statements \& Actions} \\ \hline = \text{Family Violence} \end{array}$$



# Victim – has pieces of the puzzle you don't have

- Victim knows their situation better than anyone.
- Ask the victim what they need or want.
- What is important to you may not be important to the victim.
- You may see options for the victim that they either don't see or don't feel are options for them at that time.





## Victim may recall pieces of the puzzle:

- Over a period of time – not all at once
- Out of order – seems chaotic





**QUESTIONS**





# Talking to victims



- Show Compassion
  - Validate their feelings
  - “I’m sorry this happened to you”
  - “You don’t deserve to be treated this way”
  - “You have a right to be safe”
  - “Help is available to you”
  - Use empathy and active listening skills



# Talking to victims

- Be non-judgmental
- Restore control to the victim
- Don't take it personally
- Check your attitude
- Ask victim what they would like to do next



# **Barriers to Leaving – Why Does the Victim Stay?**

- Abuser may threaten or harm children, family, friends, personal belongings and/or pets.
- Abuser threatens to fight for sole custody of and to uproot the children.
- Abuser threatens homicide and/or suicide.
- Abuser stalks the victim.



# **Barriers to Leaving – Why Does the Victim Stay?**

- Abuser controls the finances or victim is financially dependent on the abuser.
- Abuser promises to change.
- Victim believes the children need a father/mother.
- Victim fears becoming homeless.
- Victim has strong religious beliefs – believes divorce is a sin.





# **Barriers to Leaving – Why Does the Victim Stay?**

In cases involving an older adult or person with a disability:

- Abuser threatens that they will lose their home or go to a nursing home.
- Abuser provides daily care or necessities.
- Abuser isolates victims from family or friends.



# Barriers to Leaving – Why Does the Victim Stay?

- Abuser takes away victim's support system.
- It may be safer for the victim to remain in the abusive situation than to leave:

***Leaving an abusive situation is the most dangerous time for a battered person.***

- Victim fears the unknown/being alone.
- The victim loves the abuser.



**QUESTIONS**





# Intimidation

- Intimidation is a Crime.
- Adjustments by Court Personnel and Security Officers can often prevent intimidation.



# Third Party Intimidation

- Third party phone and in-person may include:
  - social media
  - notes
  - texting
- Third party intimidation may be:
  - directed by the defendant/offender
  - not directed by the defendant/offender



# Third Party Intimidation

Abusers will also solicit or harass friends, family and co-workers of the victim for information or to pass along messages.

- family
- friends
- employers
- guardians
- personal assistance
- community support systems
- civil and defense attorney(s)



# Third Party Intimidation

Other tactics may include:

- Other legal action
- Shutting off utilities
- Destruction of property
- Abuse of pets
- Through victim's children
- Remove access to phone, computer, adaptive equipment
- Surveillance



# Third Party Intimidation

Third party intimidation can take place at:

- Work
- Home
- School
- Church
- Regular social locations (in public)
- Visitation exchange locations
- Social media
- Healthcare locations
- Senior centers
- Courthouse
- **Anywhere, in any manner**





# **Illinois Compiled Statutes -Intimidation**

**720 ILCS 5/32-4(b)**

**Communicating with Witnesses -  
Class 3 Felony (Criminal Cases)**

**720 ILCS 5/32-4a(a)(2)**

**Harassment of Representatives for the  
Child, Witnesses - Class 2 Felony  
(Criminal Cases)**



# **Illinois Compiled Statutes - Intimidation**

**720 ILCS 5/32-4a(b)**

**Harassment of Representatives for the  
Child, Witnesses - Class A Misdemeanor**

**Civil Cases**

***(Section 506 of the Illinois Marriage and  
Dissolution of Marriage Act or Section 2-  
502 of the Code of Civil Procedure)***



# **Illinois Compiled Statutes – Intimidation**

## **Intimidation**

**720 ILCS 5/12-6**

**Class 3 Felony (Criminal Case)**

## **Aggravated Intimidation**

**720 ILCS 5/12-6.2**

**Class 2 Felony (Criminal Case)**





# Effectiveness of Protective Orders

*Civil Protective Orders: Improved Safety for Victims & Cost Effective for State Governments*

Dr. TK Logan Study, University of Kentucky

(<https://www.ncjrs.gov/pdffiles1/nij/grants/228350.pdf>)

(<http://www.nij.gov/topics/crime/intimate-partner-violence/interventions/pages/protection-orders.aspx>)



# Effectiveness of Protective Orders

Protective Orders **DO WORK:**

- **50%** of victims experienced **NO VIOLATIONS** during 6 mos. follow-up period
- Effective because respondent was afraid of going to jail
- First time abuser was told that abuse was wrong!



# Effectiveness of Protective Orders

COST and COST-BENEFIT of Protective Orders:

- ***Protective orders saved one state at least \$85 million each year.***
- Courts must enforce protective orders.
- *Protective orders are less effective for stalking victims.*



**QUESTIONS**





# Promising Practices for Courthouse Safety

## Assessment of the Courthouse Area for Safety

- Initial assessment of entire courthouse property and surrounding buildings/streets
- Identify court personnel that need to be involved in assessment processes
- Identify alternate access to the courthouse





# Promising Practices for Courthouse Safety

## Assessment of the Courthouse Area for Safety

- Identify areas outside of the courtrooms where interactions could take place between the parties
- Assess the courtrooms for emergency situations



# Promising Practices for Courthouse Safety

## Assessment of the Courthouse Area for Safety

- Assess court docket for case types with inherent risks:
  - Orders of Protection
  - Divorce
  - Child Custody
  - Guardianship/Probate



# Promising Practices for Courthouse Safety

## Assessment of the Courthouse Area for Accessibility

- Assess for physical accessibility with court disability coordinator & court security.
- Assess for communication accessibility.
  - Do NOT prohibit communication devices for those who need them.
- Ensure compliance with ADA.



# Promising Practices for Courthouse Safety

## Coordination and Communication

- Implement personalized entrance plans
- Keep victim and abuser separate
- Courthouse staff should share any pertinent information about cases which might impact safety



# Promising Practices for Courthouse Safety

## Coordination and Communication

- Include threat history information
- All personnel aware of potential threats or abuse
- Public websites and Vine Link



# Promising Practices for Courthouse Safety

## Provide a Safe Environment for Victim

- Counters clear of potentially hazardous items
- Private waiting/meeting/OP application area
- Accessibility for older adults & persons with disabilities
- Report irregularities to court security
- ID Safe Areas



# Promising Practices for Courthouse Safety

## Exiting the courthouse

- Give victim a “head start” if possible.
- Provide security to/from car and parking lot.
- Alert security to abuser contacts located outside of the courtroom.
- Develop a Safety Plan for the victim.
- Identify safe places for victim to go in case abuser or third party follows.



# Promising Practices for Courthouse Safety

## Exiting the courthouse

- Victim should have access to emergency phone while she/he is outside the courthouse.
- Law enforcement has victim's route home.
- Law Enforcement schedules check of victim's property or vehicle.





# Safety Planning for Victims

- Friends/Family with whom they can stay
- Shelter
- Counseling
- Report to police
- Refer to appropriate services
- Considerations for people with disabilities and older adults






# National Resources for Victims

- National Domestic Violence Hotline
  - 1-800-799-SAFE (7233) 1-800-787-3224 (TTY)
  - <http://www.thehotline.org/>
- National Sexual Assault Hotline – RAINN
  - 1-800-656-HOPE (4673)
  - <https://rainn.org/>
- National Center on Elder Abuse
  - 1-800-677-1116
  - <http://www.ncea.aoa.gov/>
- National Child Abuse Hotline
  - 1-800-422-4453
  - <https://www.childhelp.org/>
- National Center on Criminal Justice and Disabilities
  - <http://www.thearc.org/NCCJD>

# National Resources for Victims

- National Teen Dating Abuse Helpline
    - 1-866-331-9474 1-866-331-8453 (TTY)
    - <http://www.loveisrespect.org/>
  - Stalking Resource Center
    - <https://www.victimsofcrime.org/our-programs/stalking-resource-center>
  - National Suicide Prevention Lifeline
    - 1-800-273-TALK (8255) [24/7 hotline]
    - 1-888-628-9454 (Spanish)
    - 1-800-799-4889 (TTY)
    - <http://www.suicidepreventionlifeline.org/>
- 



# Local Resources for Victims


## Family Violence Services

- Local Domestic Violence Shelter/Victim Services
- Local Rape Crisis Centers
- Local Adult Protective Services



# Local Resources for Victims

## Support Services

- Local Center for Independent Living – Services for Persons with Disabilities
  - Care Coordination Units – Service Assessments
  - Disability Service Providers
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- A thick, solid orange wave-like shape that curves across the bottom of the slide, starting from the left and ending on the right.




# Local Resources for Victims

## Criminal Justice Services

- Local State's Attorney's Office
- Local Sheriff's Office
- Local Police Department
- Local Circuit Clerk's Office


# What can a victim do?

- Call the Police
  - Get an Order of Protection
  - Make a safety plan
  - Make sure schools/daycare have copy of Order of Protection
  - Seek shelter
  - Get counseling from someone trained to deal with family violence
- 

# **What should a victim not do?**

**Couples Counseling  
&  
Anger Management**

These services should never be  
recommended  
in a family violence situation!







# REMEMBER...




- Do not judge the success of your intervention by the victim's actions.
- It may be frustrating for court personnel when the victim stays in an abusive relationship, but it is their decision.
- If you have acknowledged and validated her/his situation and offered referrals, you have done what you can to help.



# Acknowledgements

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## Information and Resources provided by:

- Mark Wynn, Wynn Consulting – [www.markwynn.com](http://www.markwynn.com)
  - Lydia Walker, Domestic Violence Trainer/Consultant, [LydiaWalker@cox-internet.com](mailto:LydiaWalker@cox-internet.com)
  - 4<sup>th</sup> Judicial Circuit FVCC Law Enforcement Committee/OVW Rural Grant Committee
  - Illinois Department of Public Health,  
<http://www.idph.state.il.us/about/womenshealth/factsheets/dv.htm>
  - National Coalition Against Domestic Violence,  
[http://www.ncadv.org/files/DomesticViolenceFactSheet\(National\).pdf](http://www.ncadv.org/files/DomesticViolenceFactSheet(National).pdf)
  - Illinois Department of Children and Family Services Manual for Mandated Reporters – September 2006
  - *Civil Protective Orders: Improved Safety for Victims & Cost Effective for State Governments* New Research Findings on Effectiveness, Dr. TK Logan, Department of Behavioral Science, University of Kentucky
  - AEquitas: The Prosecutor's Resource on Violence Against Women
- 



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**QUESTIONS**



Thank you for what you do.

*YOU do make  
a difference in the lives of victims.*

