



DC Domestic Violence Court Watch Project Mid 2012 Report

Introduction

Data compiled in this report has been collected by volunteers over a six-month period, February 2012-July 2012. Court Watch Project (CWP) volunteers recorded data on a total of 1,057 non-discrete¹ cases. While the 2012 year-end report will contain recommendations, qualitative data, and more cross-data analysis, this mid-year report seeks to provide the community with the general statistics that the DC Domestic Violence Court Watch Project has thus far collected.

¹ Non-discrete refers to *all cases watched by volunteers*, where there might have been repeats because of continuances. In other word, volunteers recorded data based on 1,057 rulings, not 1,057 individual CPO cases. Additionally, cases where the outcomes were continuances went on to have final outcomes that were possibly not recorded by CWP Volunteers.

Basic Court Data

1. Frequency of Marshals Present in the Courtroom

	Yes	No	N/A or not recorded	Total
Marshal Present	37.6% (397)	55.4% (586)	7% (74)	1,057

2. Judges

The Honorable Judge Lopez and The Honorable Judge Saddler were presiding in Courtrooms 113 and 114, where CPO hearings take place, for the months of data collection, February 2012 through July 2012. Other Judges filled in when either presiding Judges was on leave.

	Judge Bayly	Judge Holeman	Judge Lopez	Judge Retchin	Judge Saddler	Judge Turner	Not recorded	Total
Cases heard	10.2%(11)	.09%(1)	57.1% (504)	.5% (6)	46.7% (494)	3.3% (35)	.5% (6)	1057

3. Cross petitions

There were (58) cases that had a cross petition.

	Yes	No	N/A or not recorded
Was the cross petition granted?	63.8% (37)	24.1% (14)	12.1% (7)
Was the cross petition addressed at the same hearing?	87.9% (51)	12.1% (7)	0% (0)

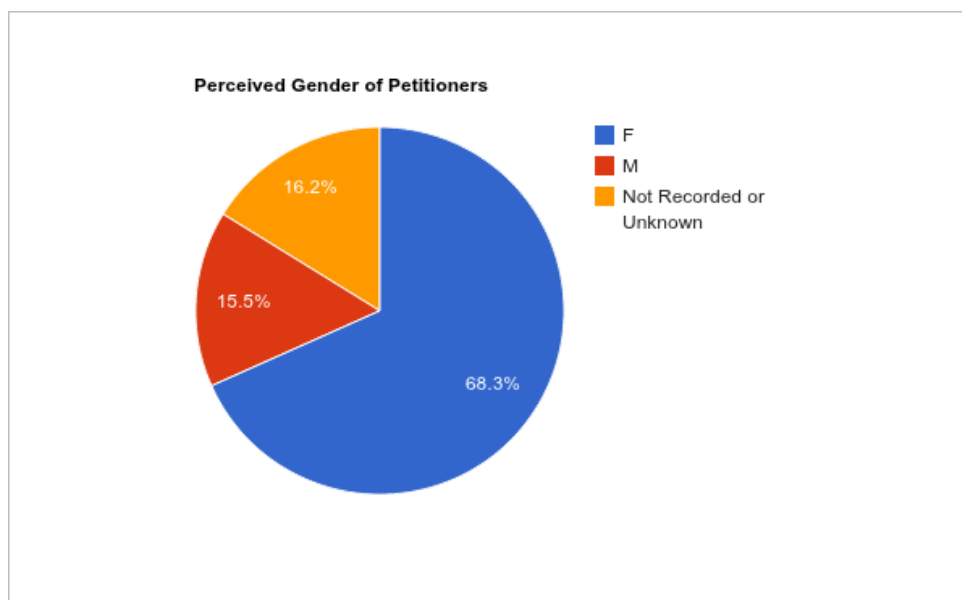
Demographics

CWP volunteers recorded data regarding demographics of parties on a total of 1,057 non-discrete² cases.

1. *Perceived Gender*

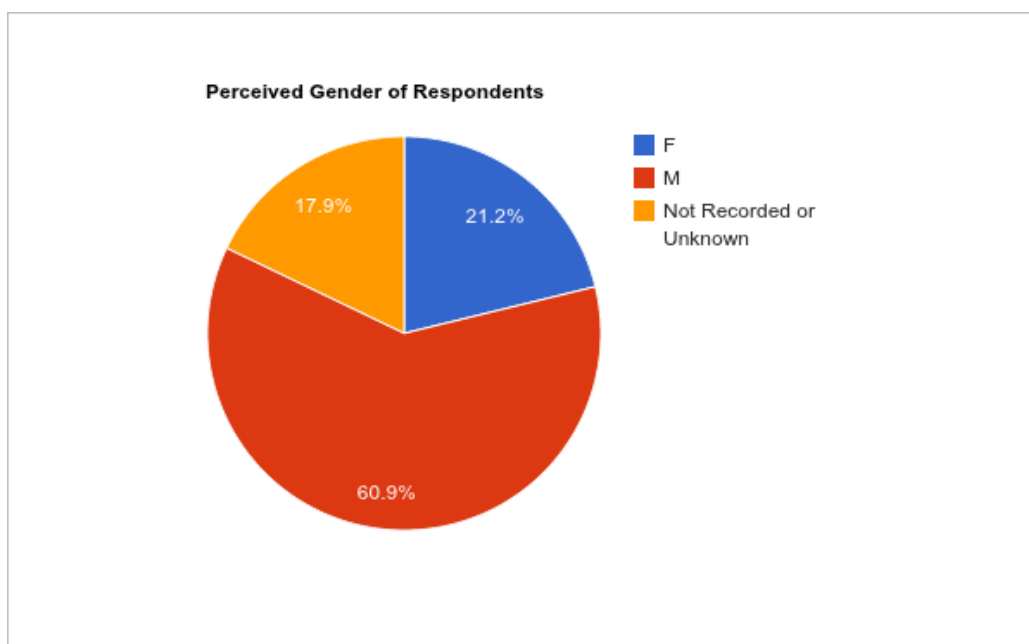
Volunteers were asked to record the gender that they perceived each party to be, because assumptions made about parties' identity could have affected the outcome of their case or how they were treated in Court.

Party	Petitioner	Respondent	Total
F	68.3% of Petitioners (722)	21.2% of Respondents (224)	44.7% of all parties (946)
M	15.5% (164)	60.9% (644)	38% (808)
Not recorded or unknown ³	16.2% (171)	17.9% (189)	17% (360)
Total	1057	1057	2114



² Non-discrete refers to *all cases watched by volunteers*, where there might have been repeats because of continuances. In other word, volunteers recorded data based on 1,057 rulings, not 1,057 individual CPO cases. Additionally, cases where the outcomes were continuances went on to have final outcomes that were possibly not recorded by CWP Volunteers.

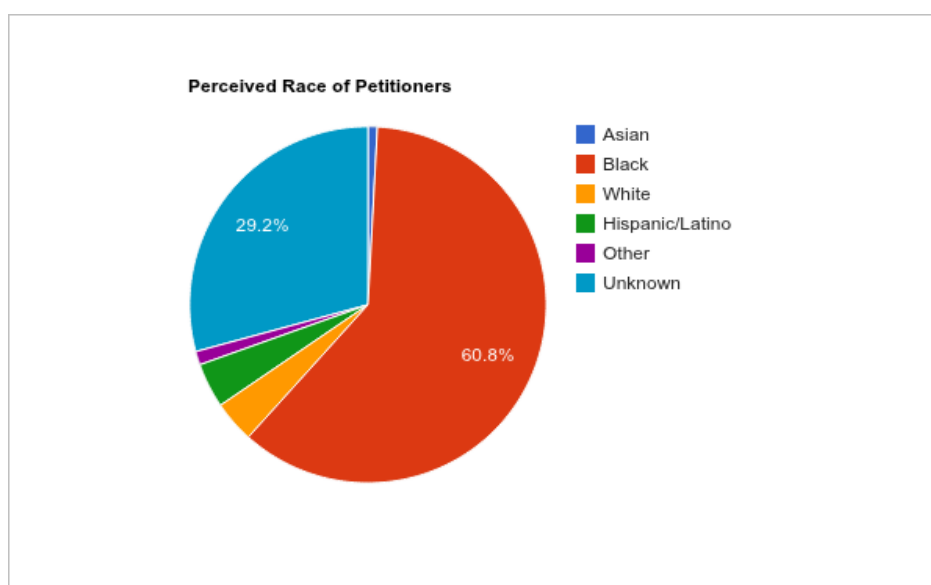
³ If party was not present, data regarding party's gender might not have been recorded.



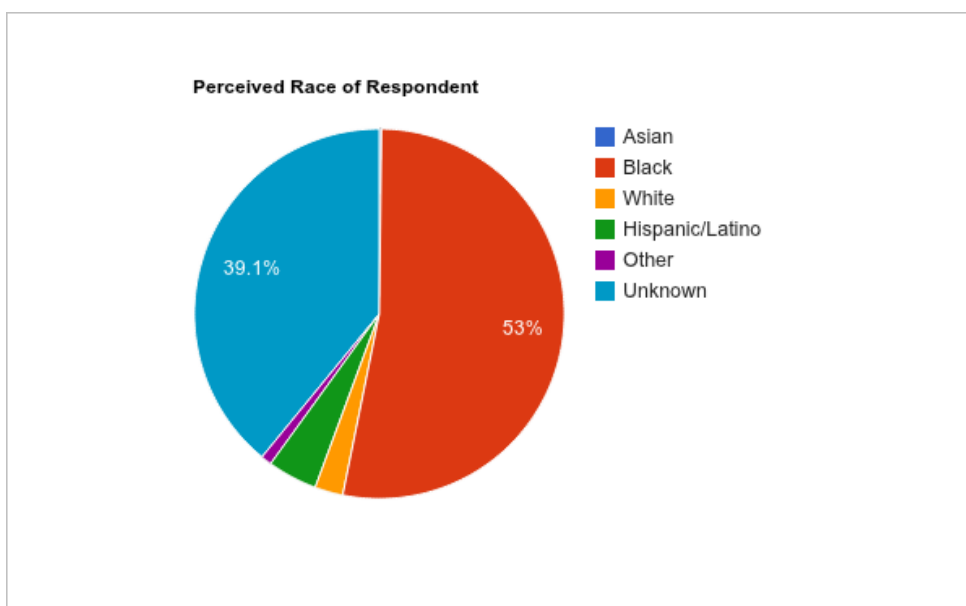
2. Perceived Race

Volunteers were asked to record the race that they perceived each party to be, because assumptions made about parties' identity could have affected the outcome of their case or how they were treated in Court.

Race	Petitioner	Respondent	Total
Asian	.8% (9)	.2% (2)	.5% (11)
Black	60.8% (643)	52.9% (560)	56.9% (1203)
White	3.8% (40)	2.3% (26)	3.1% (66)
Hispanic/Latino	4% (43)	4.3% (46)	4.2% (89)
Other	1.2% (13)	.9% (10)	1.1% (23)
Unknown ⁴	29.2% (309)	39.1% (413)	34.2% (722)
Total	1057	1057	2114

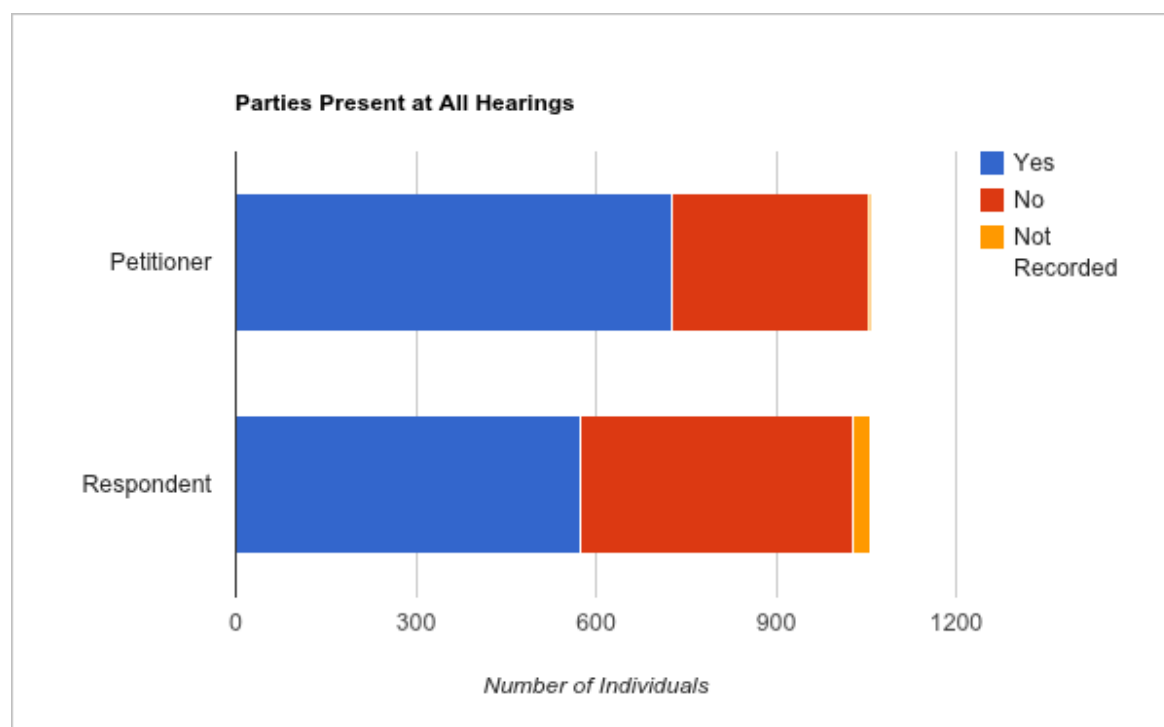


⁴ If party was not present, data regarding race may not have recorded.



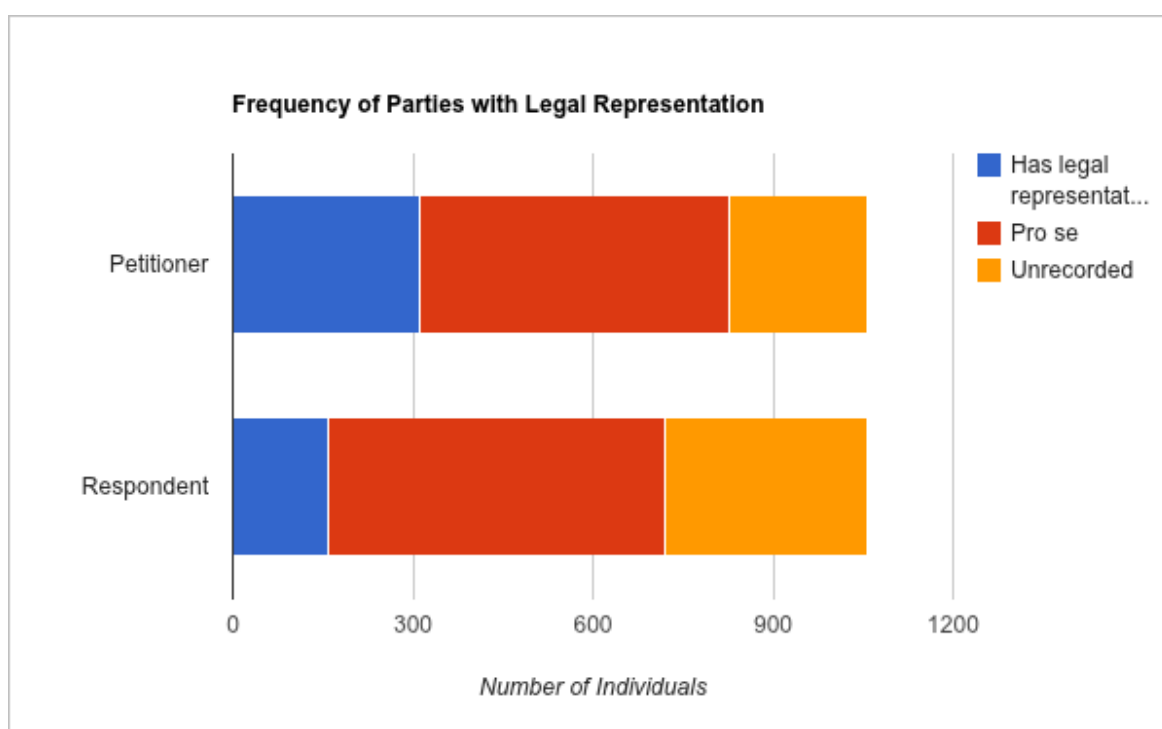
3. Frequency of Present Parties

Present	Petitioner	Respondent	Total
Yes	68.7% (727)	54.2% (573)	61.5% (1300)
No	30.9% (327)	42.9% (454)	36.9% (781)
Not Recorded	.3% (3)	2.8% (30)	1.5% (33)
Total	1057	1057	2114



4. Frequency of Parties with Legal Representation

Representation	Petitioner	Respondent	Total
Has legal representation	29.3% (310)	14.9% (158)	44.3% (468)
Pro se	49% (518)	53.2% (563)	51.1% (1081)
Unrecorded	21.6% (229)	31.7% (336)	26.7% (565)
Total	1057	1057	2114



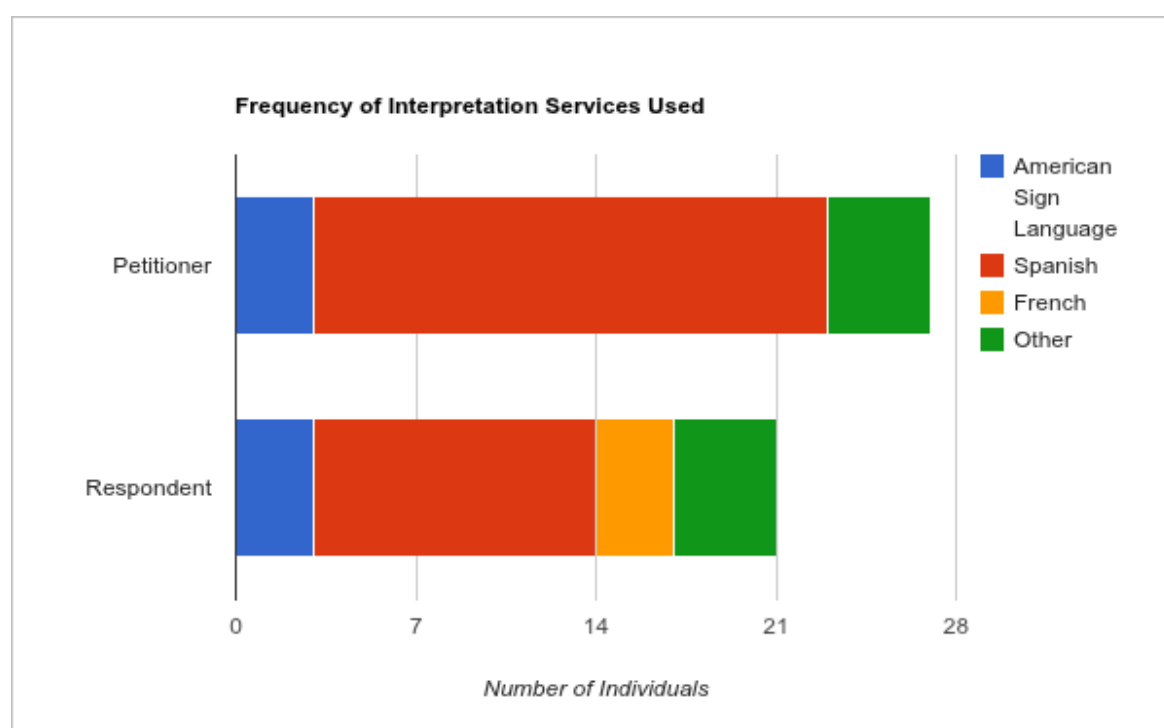
5. Respondents in Custody

CWP Volunteers recorded that the respondent was in custody at the time of the hearing in 2.9% (31) of cases.

6. Frequency of Interpreter Services Used

CWP Volunteer recorded that Court interpretation services were used in 2.6% (27) of cases where for the petitioner and 1.9% (21) cases for the respondent.

Interpretation Services Used	Petitioner	Respondent
American Sign Language	3	3
Spanish	20	11
French	0	3
Other	4	4
Total	27	21



7. Relationship of Parties

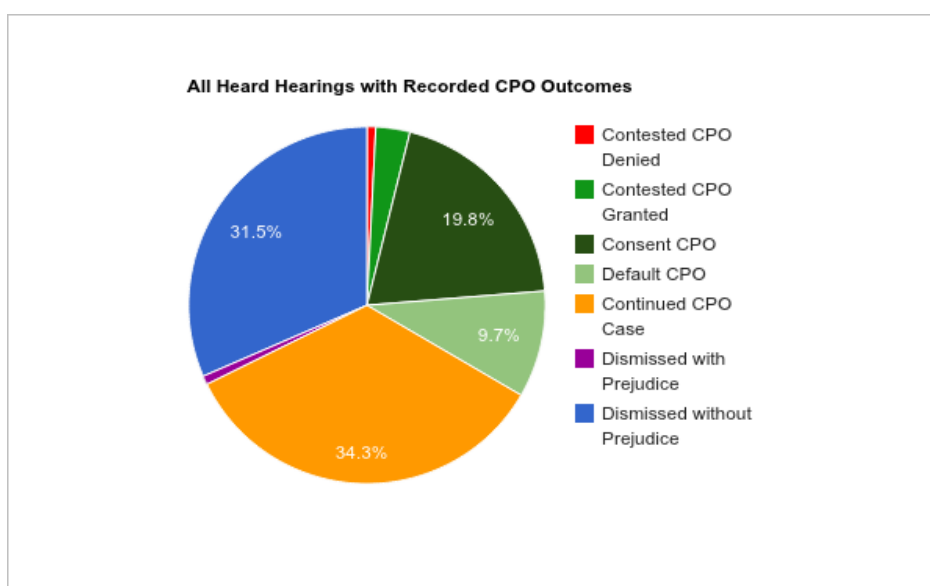
The relationship of parties was recorded in **64.5% (682)** of all cases. In the remaining 375 cases, either one or both parties was not present, the relationship was not stated explicitly, or the relationship was not recorded. Of 682 cases at the time of the hearing, **46.3% (316)** of parties are dating or used to date, **28.9% (197)** of parties have a child in common, **20.7% (141)** of parties are or used to be married/domestic partnership, **9.5% (65)** of parties are related by blood or legal custody, **8.2% (56)** of parties share or used to share a residence, **4.3% (29)** of parties had a partner in common, **3.1% (21)** of parties did not necessarily have a relationship but incidents of sexual assault and/or stalking were on the petition, **1.6% (11)** of parties had other relationships (like neighbor or coworker). **20% (138)** of parties had more than one relationship that qualified the incidents to be Intrafamily Offenses, for example, *parties were married and have a child in common*.

CPO Outcomes

All Outcomes

CWP Volunteers recorded CPO outcomes for 1003 non-discrete cases.

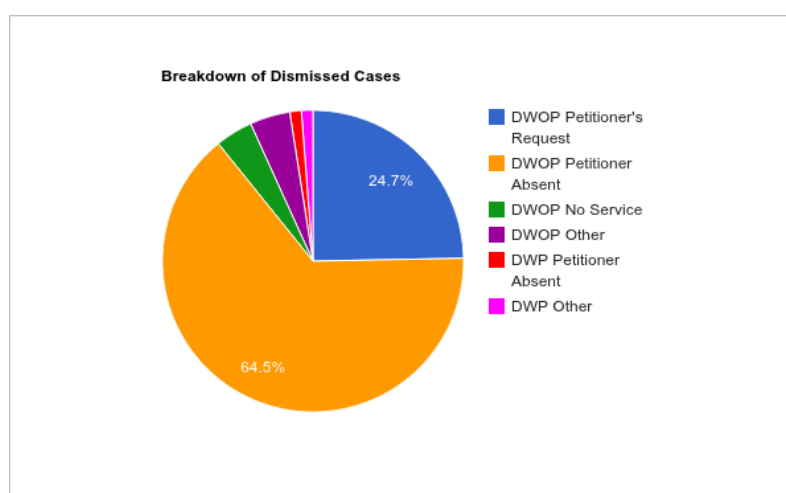
Outcome	Recorded Cases
Contested CPO Denied	.8% (8)
Contested CPO Granted	30.9% (311)
Consent CPO	19.8% (199)
Default CPO	9.7% (97)
Continued CPO Case	34.3% (344)
Dismissed with Prejudice	.8% (8)
Dismissed without Prejudice	31.5% (316)
Total	1003



Dismissed Cases

CWP Volunteers recorded data for 324 dismissed cases.⁵ Anecdotal evidence suggests that a significant portion of petitioners let their cases get dismissed because they tried but were not able to successfully serve the respondent. While it is reflected in our data as a rather insignificant (4%) portion of dismissed cases are dismissed due to lack of service, it should be noted that many petitioners who failed to serve the respondent do not show up for their court date which accounted for a significant portion (64.5%) of dismissed cases.

Reason for Dismissal	Recorded Cases
DWOP Petitioner's Request	24.7% (80)
DWOP Petitioner Absent	64.5% (209)
DWOP No Service	4%(13)
DWOP Other	4.3% (14)
DWP Petitioner Absent	1.2% (4)
DWP Other	1.2% (4)
Total	324

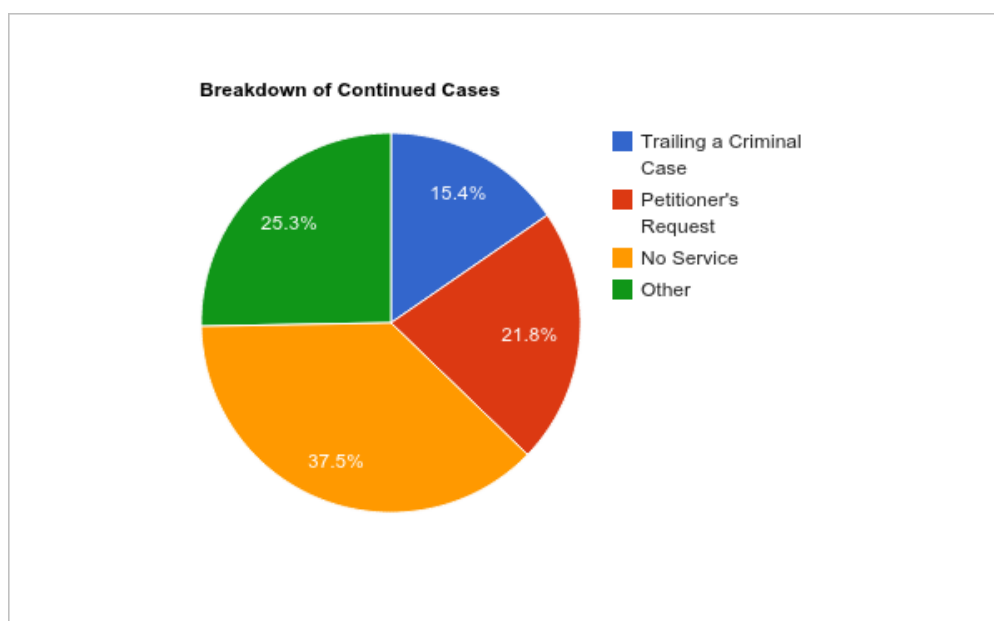


⁵ Because a dismissed case is a final outcome, intrinsically none of these cases are repeated within this data set and are therefore discrete.

Continuances

CWP Volunteers recorded data for 344 non-discrete cases.

Reason for Continuance	Recorded Cases
Trailing a Criminal Case	15.4% (53)
Petitioner's Request	21.8% (75)
No Service	37.5% (129)
Other	25.3% (87)
Total	344



Breakdown of Discrete⁶, Final Outcomes: SAFE Client Petitioners and Non-SAFE Client Petitioners

CWP Volunteers recorded *final outcomes*⁷ for 344 discrete cases where the petitioners did not receive SAFE Court Advocacy services and 286 discrete cases where the petitioner did receive SAFE Court Advocacy Services.

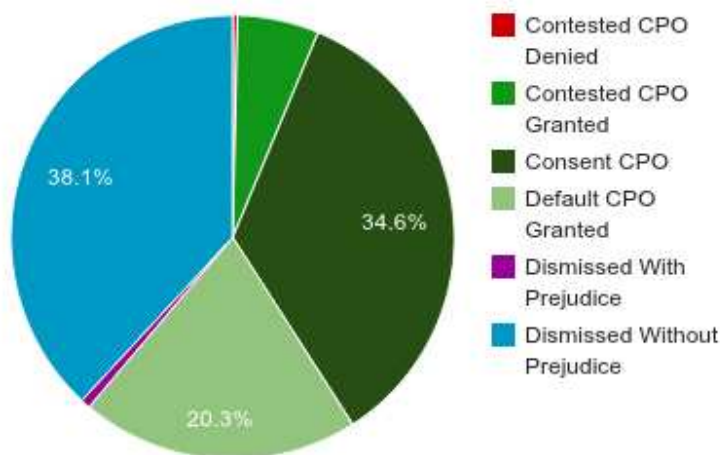
Outcome	SAFE Client Petitioners	Non-SAFE Client Petitioners	Total
DWOP	38.1% of SAFE outcomes (109)	53.5% of non-SAFE outcomes (184)	46.5% of total outcomes (293)
DWP	.7% (2)	1.7% (6)	1.3%% (8)
Default CPO	20.3% (58)	10.8% (37)	15% (95)
Consent CPO	34.6% (99)	28.5% (98)	31.3% (197)
Contested CPO granted	5.9% (17)	4.6% (16)	4.7% (30)
Contested CPO denied	.3% (1)	1.7% (6)	1% (7)
Total	(286)	(344)	(630)

Based on this data, petitioner who received services from SAFE's Court Advocacy Program had more success in their final CPO outcomes. Because SAFE provides services to survivors of domestic violence - not abusers - we end up not helping many abusers who are using the civil protection order system to gain and maintain power and control. We determine this using the nationally recognized predominant aggressor analysis when first meeting a client to decide if we are the right service provider for them. This is something that the judges are also trained to assess, and accordingly will not grant CPOs to people they believe have are abusive, have power and control in the relationship, and are not actually afraid. Therefore, aside from having the support of a SAFE Advocate throughout the CPO process, this may also be a reason that the data indicates that our clients are more successful. See charts below for visual comparison.

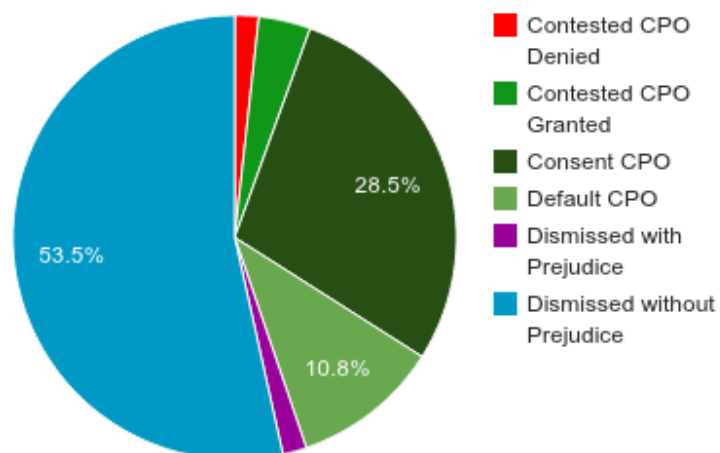
⁶ Discrete refers to the fact that each piece of this data set is an individual case and is not repeated.

⁷ Which does not include continuances, because that is not a final CPO outcome.

Final CPO Outcomes of SAFE Client Discrete Cases



Final CPO Outcomes of Non-SAFE Client Discrete Cases

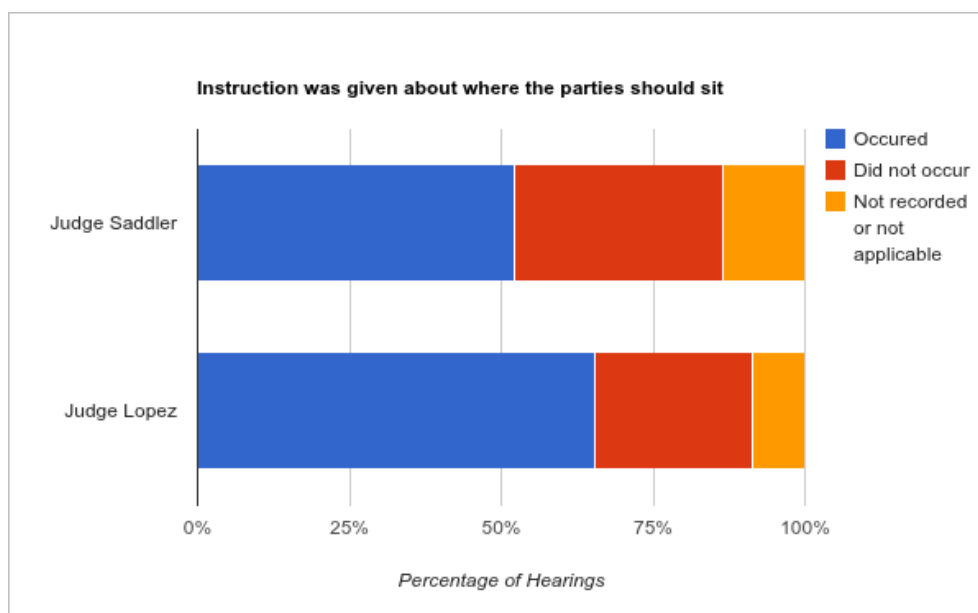


Breakdown of Data: Judges

Cases were primarily heard by The Honorable Judge Saddler and The Honorable Judge Lopez. The Honorable Judges Bayly, Holmen, Retchin and Turner also presided, but very infrequently, therefore our reporting will only contain information recorded on days when Judge Saddler and Judge Lopez were presiding.

Court Watch Project Volunteers recorded data for 494 non-discrete cases heard by Judge Saddler and 504 non-discrete cases heard by Judge Lopez.

Instruction given where the parties should sit:



Of the out of 494 cases, Judge Saddle instructed parties where to sit within the Courtroom at least 52%(258) of the time. Out of 504 cases, Judge Lopez instructed parties where to sit at least 65%(330) of the time. Instructing petitioners and respondents where to sit in the Courtroom can help to keep the petitioner more comfortable.⁸

Behavior of Judges

⁸ A judge might have given this instruction to all parties at the start of the day, therefore Court Watch Volunteers recording data in the afternoon would not have heard the instruction; this possible discrepancy is not reflected in our data. However, it would be beneficial for the instruction to be repeated in the afternoon because all parties re-enter the courtroom after a midday recess.

Data gathered regarding the Judges' behavior will only be reported for cases where the petitioner was present. The petitioner was present for 344 non-discrete cases heard by Judge Saddler and 362 non-discrete cases heard by Judge Lopez.

1. Did the Judge establish jurisdiction?

	Yes	No	N/A or not recorded	Total
Judge Saddler	28.5% (98)	60.5% (207)	11% (39)	344
Judge Lopez	31% (112)	52% (189)	17% (61)	362
Total	30% (210)	56% (396)	14% (100)	706

Judge Saddler established jurisdiction only 28.5% of the time. Judge Lopez established jurisdiction only 31% of the time.

2. Was the judge familiar with the case?

	Yes	No	N/A or not recorded	Total
Judge Saddler	59% (202)	29% (101)	12% (41)	344
Judge Lopez	61% (220)	25.5% (93)	13.5% (49)	362
Total	60% (422)	27% (194)	13% (90)	706

Judge Saddler appeared to be familiar with the facts of the case 59% of the time. Judge Lopez appeared to be familiar with the facts of the case 61% of the time.

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3. *Did the judge ask if there was a history of domestic violence?*

	Yes	No	N/A or not recorded	Total
Judge Saddler	7% (25)	80% (275)	13% (44)	344
Judge Lopez	4% (14)	80% (289)	16% (57)	362
Total	5% (39)	80% (564)	14% (101)	706

Judge Saddler asked if there was a history of domestic violence only 7% of the time. Judge Lopez asked if there was a history of domestic violence 4% of the time. Asking about the history of domestic violence present in an abusive relationship may paint a better picture of the situation and provide more context. It also may allow the judge to understand the pattern of domestic violence, which does not necessarily include forms of abuse that are illegal, but are indeed still very harmful. Though judges cannot rule based on legal forms of abuse, it possibly could inform understanding of who has power and control, the parties' credibility and granted forms of relief.

4. *Was the judge patient with the parties?*

	Yes	No	N/A or not recorded	Total
Judge Saddler	84.25% (290)	3.25% (11)	12.5% (43)	344
Judge Lopez	84.25% (305)	2.25% (8)	13.5% (49)	362
Total	84.25% (595)	3% (19)	13% (92)	706

CWP Volunteers found that the judges were quite frequently patient with the parties. This is very important in CPO court because it is pro se, and parties do not necessarily have attorneys there to explain proceedings. A few Volunteers went as far as to include qualitative data in support of their findings, saying things such as, "Petitioner was very frustrated and short with Judge. Judge was very patient."

5. *Did the judge interrupt the parties?*

	Yes	No	N/A or not recorded	Total
Judge Saddler	5% (16)	82% (282)	13% (46)	344
Judge Lopez	6% (22)	80% (291)	13.5% (49)	362
Total	5.25% (38)	81.25% (573)	13.5% (95)	706

The Judges interrupted the parties very infrequently.

6. *Did the judge reprimand the parties?*

	Yes	No	N/A or not recorded	Total
Judge Saddler	6% (20)	80.5% (277)	13.5% (47)	344
Judge Lopez	5% (18)	81% (293)	14% (51)	362
Total	5.25% (38)	81% (570)	13.75% (98)	706

The Judges very rarely reprimanded the parties.

7. *Did the judge answer questions fully?*

	Yes	No	N/A or not recorded	Total
Judge Saddler	82% (281)	2% (8)	16% (55)	344
Judge Lopez	84% (304)	1% (4)	15% (54)	362
Total	83% (585)	2% (12)	15% (109)	706

The Judges almost never did not answer parties' questions fully.

