



WASHINGTON  
**COURTS**  
ADMINISTRATIVE OFFICE OF THE COURTS

*WASHINGTON STATE SUPREME COURT*

**GENDER AND JUSTICE  
COMMISSION**

**MEETING**  
**FRIDAY, MAY 8, 2015**

**SEATAC OFFICE**  
**18000 INTERNATIONAL BLVD, SUITE 1106**  
**SEATAC, WASHINGTON**

**WASHINGTON STATE SUPREME COURT  
GENDER AND JUSTICE COMMISSION**

**2014-2015**

**CHAIR**

**Honorable Barbara A. Madsen**  
Washington State Supreme Court

**VICE-CHAIR**

**Honorable Sheryl Gordon McCloud**  
Washington State Supreme Court

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**Ms. Sara L. Ainsworth**  
National Advocates for Pregnant Women

**Honorable Marilyn G. Paja**  
Kitsap County District Court

**Ms. Mirta Laura Contreras**  
NW Immigrant Rights Project

**Honorable Mark W. Pouley**  
Swinomish Tribal Court

**Honorable Josie Delvin**  
Benton County Clerk

**Ms. Leslie J. Savina**  
Northwest Justice Project

**Honorable Michael H. Evans**  
Cowlitz County Superior Court

**Honorable Ann Schindler**  
Court of Appeals, Division I

**Ms. Grace Huang**  
Washington State Coalition Against  
Domestic Violence

**Ms. Gail Stone**  
King County Executive's Office

**Honorable Judy Rae Jasprica**  
Pierce County District Court

**Honorable Tom Tremaine**  
Kalispel Tribal Court

**Ms. LaTricia Kinlow**  
Tukwila Municipal Court

**Mr. David Ward**  
Legal Voice

**Professor Taryn Lindhorst**  
University of Washington

**Ms. Judith A. Lonquist, P.S.**  
Attorney at Law

**AOC Staff**

**Honorable Eric Z. Lucas**  
Snohomish County Superior Court

**Ms. Danielle Pugh-Markie**  
Manager, Supreme Court Commissions

**Honorable Rich Melnick**  
Court of Appeals, Division II

**Ms. Pam Dittman**  
Program Coordinator



WASHINGTON  
COURTS

# GENDER AND JUSTICE COMMISSION

AOC SEATAC CONFERENCE ROOM  
18000 INTERNATIONAL BLVD, SUITE 1106  
FRIDAY, MAY 8, 2015 (8:45 A.M. – 11:45 A.M.)  
CHIEF JUSTICE BARBARA MADSEN, CHAIR  
JUSTICE SHERYL GORDON McCLOUD, VICE CHAIR

## Agenda

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### 8:45–8:55 AM CALL TO ORDER

- Introductions
- Approval March 13, 2015, Meeting Notes 1

### 8:55–9:30 AM COMMISSION BUSINESS

*Objective:* Chair and staff report on past and upcoming activities and interactions that affect the Commission.

- Chair Report Chief Justice Madsen
- Myths & Perceptions Video Update 9
- Washington Initiative for Diversity Events 11
- 35<sup>th</sup> Anniversary Celebration Northwest Intertribal Court System
- Staff Report Danielle & Pam
- Activities & Updates
- Staff Transition
- SAVIN Link
- Budgets: GJC and Grants 17

### GUEST SPEAKER(S) & EXPLORATORY PROJECTS

*Objective:* Forum for members to discuss items of interest they are involved in or would like the Commission to explore.

- 9:30–9:50 AM Update on OCLA Study Jim Bamberger, Office of Civil Legal Aid (OCLA)
- 10:00-10:45 AM Re-entry Project Elizabeth Hendren, Northwest Justice Project ..... 21

### 9:50-10:00 AM BREAK

### 10:45-11:45 AM COMMITTEE REPORTS

*Objective:* Committee chairs will report on progress of work plans, discuss new areas of interest, problems that have arisen, ask for feedback, ask for assistance.

- Communications Vacant
- Domestic Violence Judge Jasprica
- CCI Report 51
- Modifications & Rescissions
- BIP Roundtable
- HB1840
- Education Judge Melnick & Staff
- Appellate Conference Evaluations 61
- SCJA – April 26-29, 2015: Abusive Litigation Tactics; DV Manual Update/Firearms



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## Agenda

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‣ DMCJA – June 7-10, 2015; Strangulation		
‣ Fall Conference		
‣ August 21-22, 2015 – Enhancing Courts Response... Sexual Violence .....		<b>63</b>
‣ Incarcerated Women & Girls	Sara Ainsworth	
‣ Mission Creek	Judge Paja	
‣ Membership Committee	Danielle and Pam	
‣ Tribal State Court Consortium	Judge Pouley and Judge Tremaine .....	<b>65</b>
‣ Women in the Profession	Judith Lonquist	

## ADJOURNMENT



WASHINGTON  
COURTS

# GENDER AND JUSTICE COMMISSION (GJCOM)

TEMPLE OF JUSTICE – CHIEF JUSTICE RECEPTION ROOM

OLYMPIA, WASHINGTON

FRIDAY, MARCH 13, 2015 (9:30 A.M. – 12:00 P.M.)

## MEETING NOTES

**Members Present:** Chief Justice Barbara A. Madsen, Chair; Justice Sheryl Gordon McCloud, Vice-Chair; Ms. Sara Ainsworth, Ms. Josie Delvin, Ms. Grace Huang, Ms. Trish Kinlow, Ms. Judith A. Lonquist, Judge Richard Melnick, Judge Marilyn Paja, Ms. Leslie Savina, Ms. Gail Stone, Judge Tom Tremaine, Ms. CaroLea Casas (Student Liaison, University of Puget Sound), Ms. Alexandra Kory (Student Liaison, Seattle University, Law School), Ms. Danielle Pugh-Markie, Supreme Court Commissions Manager, and Ms. Pam Dittman, Program Coordinator

**Members Excused:** Ms. Laura Contreras, Judge Michael Evans, Judge Judy Jasprica, Professor Taryn Lindhorst, Judge Eric Lucas, Mr. Ron Miles, Judge Mark Pouley, Judge Ann Schindler, Mr. David Ward

**Guests:** Judge Jim Riehl, Retired; Mr. Jake Fawcett

### CALL TO ORDER

The meeting was called to order at approximately 9:30 a.m. Introductions were made.

### COMMISSION BUSINESS

**Chair Report** – Chief Justice Barbara A. Madsen

- January 9, 2015 Meeting Notes

The January 9, 2015 meeting notes were adopted.

- Annual Report

Each attendee has received a copy of the 2014 GJCOM Annual Report. Please peruse at your leisure and if you find any errors, please contact Pam Dittman. We will release the final version by the end of April. In the past we have sent hardcopies to all the legislators, anyone named in the report, and other partners.

**Action:** Members please provide Pam any feedback as soon as possible.

- Luncheon

This is the second time we have invited state legislators to attend a luncheon reception to learn about the work of the Commission and the impact we make in our courts. As you will see from the agenda, we have asked Judith Lonquist to speak on the gender bias study from 1987 and how it really was the genesis for not only this Commission but also the Minority and Justice Commission. The study needs to be updated and we need to find the money to do this. Grace Huang will speak about the legislation regarding the surrender of firearms and why this was important to the Commission and implementation of this legislation. Judge Tom Tremaine will say a few words about the work of the Tribal

State Court Consortium; and Sara Ainsworth will speak to the legislation and work that has been done around shackling of pregnant women while incarcerated.

- Washington State Center for Court Research (WSCCR)  
WSCCR is housed at the Administrative Office of the Courts and they research court-related matters, either to see whether programs are working efficiently or to gather data for other studies that should be done. WSCCR now has a strategic oversight committee which is staffed by the presidents of the associations, a court of appeals judge, the Chief Justice, and Chair representatives from each of the Commissions. The first meeting was held March 12, 2015 and, as a Commission, we need to be thinking of areas where we would like more information or dedicated resources, such as the efficacy of batterer's treatment programs. We would need to submit a fairly defined and detailed description of what we want and the benefit of having this information.

**Action:** Commission members provide staff with ideas of what you believe would be of benefit to know from a research project.

#### **Staff Report – Danielle Pugh-Markie and Pam Dittman** Activities & Updates

- Enhancing Courts' Response to Adult Victim Sexual Violence Workshop  
We hosted the workshop February 9-10, 2015 at the Tukwila Community Center. Through the grant funds, we were able to pay for 24 judicial officers (commissioners, judges, pro tempores) from across the state to attend. Special thanks to the Judge Kimberly Walden and the Tukwila Municipal Court who provided breakfast refreshments and lunch for the attendees. Additionally, a thank you to Trish Kinlow who found and reserved the space for us and who was also on-site. The meeting packets include a copy of the workshop agenda and evaluations of each segment of the program. As you will see, the evaluations were very favorable.

Initially, we had planned to host a second workshop February 12-13, 2015 in Spokane, but because of low enrollment, we cancelled it and invited those who did sign-up for that workshop to attend the Tukwila workshop. Since we have unspent grant funds, we are looking at the next steps to provide the second workshop. We will tweak the second workshop based on the evaluations and faculty feedback from the first one.

**Update:** The second workshop will be held on August 21-22, 2015 at the Courtyard Marriott, Walla Walla. Registration will be open by the end of April and our grant monitor has accepted our proposal to extend the invitation to judicial officers from Idaho and Oregon. We will use grant funds to assist Washington judicial officers to attend.

- Logo Update  
Danielle and Pam have been working with Leanne Gan to make additional changes to the logo. New logo options were provided to attendees. A lively discussion followed that included the expressed desire that if the logo includes a mountain, that the image should be of Mt. Rainier or any other Washington mountain; the interlocking GJ needs to include the ampersand since as portrayed it looks like an arrow; some attendees liked the box around the logo, others did not; a discussion of color options. Staff asked Leanne to

provide other options besides the purple to separate the GJCOM logo from AOC's logo and from domestic violence. After group discussion, staff will continue to work with Leanne.

- Budgets

The meeting packet includes the latest budgets for the Commission and the FY14 STOP grant.

- Commissions

- The GJCOM, Minority & Justice Commission (MJCOM), and Interpreter Commission developed sessions for the 2015 Judicial College. We do this every year and the sessions were well received.
- The Commissions are also creating a Commissions brochure, which will provide a broad overview of the MJCOM, GJCOM, Interpreter Commission (IC), and Commission on Children in Foster Care (CCFC).
- The MJCOM and Interpreter Commission are both working on annual reports.
- The GJCOM, MJCOM, and IC have programs at the SCJA and DMCJA spring conferences and the GJCOM and MJCOM have sponsored sessions at the Appellate conference.
- The Minority & Justice Commission (MJCOM) is developing their yearly symposium for the Supreme Court. It will be on Thursday, May 28, 2015 at the Temple of Justice. The topic of the symposium this year is on reentry issues for juveniles.
- The MJCOM is also continuing their work on the Perceptions of Justice report that was released last year. They have sessions at both the DMCJA and SCJA Spring Conferences.
- The Interpreter Commission is working on holding a forum on May 29, 2015 in the Yakima area. The topic of the forum will be on language access issues and will be open to the public. Staff are reaching out to community organizations and stakeholders. Judge Ruth Reukauf from Yakima County Superior Court is helping organize the event.
- The MJCOM and GJCOM submitted a grant application in 2013 to the Law School Admissions Council (LSAC) to look at the youth and justice forums across the state. Margaret Fisher spoke to the GJCOM on this project in 2013 and solicited the support of the Commission if the grant was received. The original application and amount was denied and a pared down version was re-submitted. The application was approved and \$7,500 was awarded to work on this project. This work included evaluating the forums, creating an on-line repository of forum materials, and convening a stakeholders meeting to discuss the programs. Both Commissions also pledged monetary support of \$5,000 for this endeavor. These funds will be out of the 2015-2017 biennium budget.

**Action:** Judge Paja and Gail Stone volunteered to be the GJCOM liaisons for this project and to attend the stakeholder meeting when it is scheduled.

- Everyone was provided with the report *Black Girls Matter*. There may be some ways that we can use this report to look at the intersectionality of race and gender and in particular through the lens of incarcerated women and girls.

- The MJCOM is beginning to look at post-Ferguson types of issues, which will be the topic of their next meeting on April 10.

### Guest Speaker & Exploratory Projects

- American Bar Association (ABA) Commission on Domestic and Sexual Violence - Judge Jim Riehl, Retired

Judge Jim Riehl joined the meeting today to discuss his involvement with the ABA Commission on Domestic and Sexual Violence. The ABA Commission's mission is to increase access to justice for victims of domestic and sexual violence and stalking by mobilizing the legal profession. The ABA Commission provides training nationwide to assist with this and as a former ABA Commission member and GJCOM member, the ABA Commission reached out to me to find out if there would be a way to partner with GJCOM or others to bring this training here May 18-20, 2015. Staff (Pam Dittman) has been working with the ABA Commission to secure the SeaTac Conference Room for this three to four day training. The training is for civil practicing attorneys and covers topics like domestic violence 101, litigation, divorce and child custody issues, etc. The training is interactive with role-playing, lecture, and small group discussions.

**Action:** GJCOM members suggested hosting an informal reception during one of the evenings of the training where we could chat with attendees about the work of the GJCOM, the importance of these issues, and partnering for future trainings.

**Action:** Staff contact the WSBA on hosting a CLE on DV, parenting plans, etc.

**Action:** Danielle indicated she and Judge Elizabeth Berns are part of the planning committee for the DV Symposium held in Seattle each year. (The GJCOM provides monetary assistance through STOP grant funds for judicial attendance at this conference.) They are working with the committee on holding a pre-conference CLE for attorneys, including family law attorneys, specifically on all things domestic violence.

**Update:** The ABA Commission chose to hold the training on the East Coast and will work with staff on hosting the training here in Washington in late 2015.

- Update on HB 1840 – Surrender of Firearms – Jake Fawcett  
Jake Fawcett works for the Washington State Coalition Against Domestic Violence (WSCADV) and partnered with the GJCOM last year after the passage of HB 1840 to work on the implementation of the new changes in the law around the surrender of firearms with protection orders. The passage of this law aligned state law with federal law on restrictions on firearms possession for somebody who has been a respondent to a protection order. One of the problems we have seen is that even when people are ordered to remove firearms, there was no enforcement of this order and it relied on voluntary release of weapons. The passage of this bill allows for law enforcement to immediately respond and remove firearms. There are still gaps such as how quickly people must surrender their firearm(s), how is the court following up on the surrender, how law enforcement is involved, etc.

As a preliminary step, the GJCOM assisted WSCADV with holding two forums (Eastern and Western Washington) with advocacy agencies, prosecuting attorneys, sheriffs and police chiefs, and others. The forums included brainstorming and breaking down the

process of each stage of protection orders to see how the surrender process actually works, what is done to follow up on the compliance, who's in charge of noticing whether the person has complied or not, how the notification works, people's roles and responsibilities when dealing with non-compliance, and each entity's role. There still needs to be statewide coordination in order to make this work, including work on individual local level with coordination and collaboration among courts, advocacy agencies, law enforcement, prosecuting attorneys, etc.

One example we have heard of is that in Spokane County law enforcement has taken a proactive role and set up a database that tracks orders to surrender weapons and compliance. The courts and law enforcement are working together on this.

#### Challenges:

- One main question that arose is the biggest challenge in actual enforcement is that there no mechanism in most courts on the civil side to monitor compliance with the order and there is nothing to trigger somebody to go back and look as to whether a person has complied with the order to surrender weapons. This places the burden back on the victim or respondent.
- Another thing we heard about was that the King County Prosecuting Attorney's Office declined to require the certificate of surrender on grounds of 5<sup>th</sup> Amendment privileges against self-incrimination because it would be testimonial in declaring in court that you possessed a weapons when you are not allowed too.
- The order provides a timeframe to surrender, but who enforces that? If it were a civil case with lawyers, for example, somebody would be filing a motion for contempt perhaps, but is the court supposed to bring in the contempt or undertake that role absent something else?
- Violations may also carry civil or criminal penalties, and what are those penalties? There could potentially be a violation for not complying with the order, not notifying the court if you did comply, or possessing a firearm when you are not supposed to have one.
- There are funding and technical concerns as well.
- Training for all parties and the best way to do that.

**Action:** Staff will help facilitate contact between Jake and others for training.

**Action:** Staff will work with Jake on identifying next steps.

**Action:** DV Committee to take this project on as part of their work.

**Action:** Josie Delvin will make contact with the Clerks and Trish Kinlow will make contact with Administrators to discuss ways to have this information presented at upcoming conferences.

#### Committee Reports

- Communications Committee (Ron Miles, Chair)  
Pam Dittman reported for Ron Miles who was unable to make this meeting.
  - Annual Report  
Everyone has a copy of the annual report.
  - Mission Statement

One of the other projects that the Communications Committee also talked about is resurrecting the work Ron started in 2012 on revising the Mission and Vision to be more concise and easier to convey. We will continue to work through this and plan on presenting options to the Commission in the future.

- Domestic Violence Committee (Judge Judy Jasprica, Chair)

Judge Jasprica was unable to attend.

**Update:** The DV Committee has scheduled an in-person meeting for Friday, April 24, 2015 from 9:00 a.m. to noon at the Tukwila Municipal Court.

- Modifications/Rescissions – Judge Rich Melnick

As part of the 2010 legislation on duplicative and conflicting protection orders, there was a piece to put into place a way for victims to request modifications or rescissions of protection orders. A model policy/protocol was written and distributed in 2011 and can be found on the GJCOM and Courts websites.

Judge Melnick and Ron Miles surveyed the court administrators and clerks to find out which courts have something in place for modifications and rescissions of protection orders.

Results indicated:

- The survey indicated there are 65 district and municipal courts and 26 superior courts with no written policies or processes put into place.
- There is a court rule (CR) directly contrary to the statute. The CR says requests to extinguish or modify a no contact order may only be made by a party to the case, which is directly contrary to the legislation and both came out at the same time.
- For those without policies, they are using the standard forms.
- Several Clerk's offices have not modified their own internal policies on how to process these requests.
- The public, judicial officers, and attorneys don't seem to know about this law and if they do, the courts or clerks may not know of it.
- Some courts require the victim to see an advocate prior to submitting the form or attend a special class indicating you understand the ramifications
- Placing the burden on the victim to provide a questionable number of copies of the order

**Action:** The DV Committee will add to their in-person meeting agenda to make action plan of next steps on how to address the model protocol.

- Education Committee (Judge Rich Melnick, Chair)

- Superior Court Judges Spring Conference

- Abusive Litigation Session

David Ward and Judge Joan DuBuque, Ret., are the faculty. The session is being developed, but we expect it to be interactive and bring in realistic hypotheticals.

- DV & Firearms

Grace Huang will present on the DV manual update/firearms session and Danielle is working with Judges Anne Hirsch and Elizabeth Berns on the firearms piece for that session. We will be co-sharing that session with an update about Court Appointed Special Advocates (CASA), which Danielle is getting more information on what that entails to see how we can dovetail our sessions into that.

**Update:** It was determined to de-link the session and through STOP grant funds, a standalone, 90-minute choice session is being developed. Grace and Judge Chris Wickham will be the presenters.

- District and Municipal Court Judges' Spring Conference  
We are working with Gael Strack to develop a session on strangulation in regards to domestic and sexual violence. STOP grant funds will cover the cost of the honorarium.
- Appellate Conference  
Dr. Dana Raigrodski, University of Washington School of Law, will present on Feminist Legal Theory.
- Fall Conference  
Will be a joint effort with the American Judicial Association (AJA) and is being held October 4-7, 2015 at The Sheraton Seattle. Danielle is working with the AJA to develop sessions on cultural competency in terms of domestic violence, the language of violence, and intimate partner sexual assault. We will also be holding a Tribal State Court Consortium type of event at the conference.  
**Update:** The TSCC has scheduled their meeting for October 4, 2015 from 9:30 a.m. to 11:30 a.m.
- Incarcerated Women & Girls (Sara Ainsworth, Chair)  
We collected responses to our second public disclosure request following up on the 2010 shackling legislation asking what policies and processes had been put into place. The legislation distinctly required jails and correctional facilities to provide notice to inmates and to staff. The Washington Association of Sheriffs and Police Chiefs along with the Department of Corrections developed model policies, posters, and brochures for facilities to modify and use. There are still facilities that do not have these policies in place, but many did ask for the information and Pam Dittman forwarded the information to them and put them in touch with WASPC or DOC to get more information if needed.

Recently the Correctional Association of New York, which is an advocacy group for incarcerated women and girls, released a report finding much like we did that there's real lag in following the policy. (<http://www.correctionalassociation.org/press-release/correctional-association-releases-5-year-study-of-reproductive-healthcare-for-women-in-new-york-prisons>) It is an easy read and there may be some areas we can emulate on what they have been doing on shackling.

**Action:** Invite Elizabeth Hendren to GJCOM meeting to present on her work at women's prison in Purdy and work being done on reentry. Staff will contact.

- Tribal State Court Consortium (TSCC) (Judges Mark Pouley and Tom Tremaine)

We had our first regional meeting on February 25, 2015, which was hosted by the Suquamish Tribe. We had great participation by those who attended. It was eye-opening on both sides of how things are done and the differences between not only the state and tribal courts, but between the different county courts. The program was engaging and provided for good open and honest conversation.

For the future, we need to provide a much longer lead-time and notification as many of the tribal courts are small and the judicial officers are contracted and may only come in a few times a month. We are working on having Judge Tremaine, Judge Pouley, and/or Danielle Pugh-Markie to present at the Northwest Tribal Court Judges Association meeting on the TSCC. The intent would be to let tribal judges know what we are doing, get buy-in, etc.

- Women in the Profession (Judith Lonquist, Chair)  
Judith reported that she is meeting with Sharon Armstrong later in the month regarding judicial evaluations/questionnaires and will provide an update at the next meeting.

The meeting was adjourned at approximately 12:15 p.m.

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**Dittman, Pam**

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**Subject:** FW: Myths and Misperceptions - thank you and great news!

On Thu, Apr 30, 2015 at 3:22 PM, Fisher, Margaret <Margaret.Fisher@courts.wa.gov> wrote:

Thank you to all of you who had an important role in the creation of the Myths and Misperceptions Video - the governmental officials who responded to the various myths, the actors who played the "persons on the street," the Gender and Justice Commission and Minority Justice Commission that provided funding, the Public Trust and Confidence subcommittee that worked diligently with TVW to produce the video. We believe we have a great product - and the Emmy Award Committee agreed!

It has nominated this video for an Emmy in the category of Informational/Instructional Video. The winners will be announced on June 6 at a gala event. Producers David Johnson and Jason Gutz at TVW and Executive Producers Justice Mary Fairhurst and I will be on hand for the presentations.

Again, thank you all for making this happen.

Margaret

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If you would like to see who our competition is for the Northwest Regional Emmy Award, you can do so at the link below. Just scroll down to the Informational/Instructional - Program Special category:

<http://www.natasnw.org/Awards/jb7p-2015-emmy-nominations.html>

Thank you all again for your assistance with this video!

Best,

*David Johnson*  
*Director of Education, TVW*



## THE 2015 LEGAL EXECUTIVES DIVERSITY SUMMIT

MONDAY, MAY 11, 2015 @ 8:00 AM-12:00 PM

@ DAVIS WRIGHT TREMAINE

1201 THIRD AVENUE, SUITE 2200, SEATTLE



### THE INVISIBLE POWER OF BIAS: LEADING WITH AWARENESS AND ACTION

Please join us for our 3rd Annual Summit. We have an exciting program with prominent speakers including:

- Mary Snapp, Microsoft Corporate V.P. and Deputy General Counsel, as our Keynote Speaker
- Bob Ferguson, WA Attorney General, as our Featured Speaker
- Dr. Jerry Kang, Professor of Law and Associate Provost at UCLA, for a special presentation on the science of implicit bias and countermeasure strategies in the legal institutional context
- Chief Justice Barbara Madsen and U.S. District Court Judge Richard Jones

Attendees will have an opportunity to connect with peers through small table discussions and a networking break.

### SUMMIT REGISTRATION

Cost: \$150 per person  
(\$50 for government and non-profit sectors)  
Ethics and General CLE credits pending

**Register:** [www.initiativefordiversitywa.org/2015-led-summit/](http://www.initiativefordiversitywa.org/2015-led-summit/)

### CONTACT TO SPONSOR

Erica Chung, Executive Director  
Washington Initiative for Diversity  
206-720-4996 | [director@initiativefordiversitywa.org](mailto:director@initiativefordiversitywa.org)

### HOST COMMITTEE

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Barbara Madsen  
Chief Justice,  
WA State Supreme Court and  
Vice Chair, WA Initiative for  
Diversity

Bob Ferguson  
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WA State Office of the  
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Anthony David Gipe  
Partner, Shatz Law Group,  
P.L.L.C. and President,  
WA State Bar Association

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Counsel Section, and  
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Committee,  
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Chair, Garvey Schubert Barer





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[director@initiativefordiversitywa.org](mailto:director@initiativefordiversitywa.org)

March 23, 2015

Chief Justice Barbara Madsen  
Chair, Gender and Justice Commission  
Post Office Box 41170  
Olympia, WA 98504

Dear Chief Justice Madsen:

The Washington Initiative for Diversity is hosting its Annual Legal Executives Diversity Summit on May 11, 2015 from, 8:30 a.m. to 12:00 p.m. in Seattle and **we, the undersigned, are personally asking you to join us in becoming a sponsor of this Summit** and in supporting the Washington Initiative for Diversity.

The 2015 Legal Executives Diversity Summit, themed "The Invisible Power of Bias: Leading with Awareness and Action", is expected to attract more than 100 leaders, including General Counsel and in-house counsel, federal and state judges, law firm managing partners, bar and other leaders from the state. The Summit will feature prominent speakers from both the private and public sectors. Past speakers have included Microsoft Senior Vice President and General Counsel Brad Smith; Starbucks Executive Vice President, General Counsel and Secretary Lucy Lee Helm; Univar Vice President, Assistant General Counsel and Chief Compliance Officer Leslie Schenck Reeve; Saltchuk Associate General Counsel and Compliance Officer Lam Nguyen-Bull; U.S. District Court Judge Robert Lasnik; WA Supreme Court Chief Justice Barbara Madsen; WA Supreme Court Justice Steven Gonzalez; Gonzaga University School of Law Dean Jane Korn; Spokane City Attorney Nancy Isserlis to name a few.

The 2015 Summit will be a unique opportunity for you to support diversity and inclusion, network with leaders of corporations, law firms, government agencies, and join in the important work that WID performs in the legal profession. Additionally, your sponsorship is tax-deductible to the extent allowed by law. The Washington Initiative for Diversity is a 501(c)3 non-profit coalition organization.

We ask you to consider sponsoring the Summit and encourage your attendance at this worthwhile endeavor. The attached "Sponsorship Form" explains the various sponsorship opportunities available for the Summit. To become a sponsor or to discuss sponsorship opportunities, please contact WID Executive Director Erica Chung at 206-720-4996 or [director@initiativefordiversitywa.org](mailto:director@initiativefordiversitywa.org).

We thank you for your support and look forward to seeing you at the Legal Executives Diversity Summit on May 11.

Sincerely,

Parker Cann  
Senior vice President,  
General Counsel and  
Corporate Secretary  
BECU

Kelly W. Clark  
Senior Vice President of  
Safety, Environmental &  
Regulatory Services and  
Chief Ethics & Compliance Officer  
Holland America Line

James Doane  
Corporate Counsel, Costco Wholesale  
Chair, WSBA Corporate Counsel Section  
Diversity Chair, Association of  
Corporate Counsel-WA Chapter



# JUDICIAL INSTITUTE

Saturday, March 7, 2015 @ UW Law School



**PARTNERS:** ABAW; FLOW; KABA; LBAW; LMBA; MAMA Seattle; MELAW; Q-LAW; SABAW; VABAW; WWL; and WA Initiative for Diversity  
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March 23, 2015

**COPIED**

Chief Justice Barbara Madsen  
Chair  
Gender and Justice Commission  
Post Office Box 41170  
Olympia, WA 98504

Dear Chief Justice Madsen:

On behalf of the Judicial Institute Planning Committee, thank you for your generous sponsorship of \$1000 at the CHAMPION LEVEL for our 2015 Judicial Institute held on Saturday, March 7, 2015.

Thanks to your generous contribution, we helped to encourage, energize, and educate 18 judicial candidates who are now one step closer to seeking office, many in counties where diversity on the bench is sorely lacking. Also, thanks to your willingness to spread the word about the Judicial Institute, it significantly helped to make the 2015 class the most geographically diverse. We had fellows from Asotin, King, Lincoln, Pierce, Skagit, Whatcom and Yakima, and included 9 ethnic/racial minorities; 15 women and 3 men; 3 who self-identified as being LGBT; and 1 who self-identified as living with a disability.

We have 9 fellows who have successfully become judges in King, Pierce, Clark, and Kitsap counties since starting the Judicial Institute in 2012. Given these successes we are committed to continuing to offer the Judicial Institute, and we sincerely hope that your organization will continue to be part of this exciting collaboration project in future years.

The Washington Initiative for Diversity is a 501(c)(3) non-profit organization. Donations are tax deductible to the extent allowed by law. Our Federal Tax-Exempt number is 26-3378690, and our WA State Unified Business Identifier (UBI) is 602-774-103.

Thank you again for your sponsorship and your continued support of the Judicial Institute. If you have any questions, please feel free to contact Erica Chung at [director@initiativefordiversitywa.org](mailto:director@initiativefordiversitywa.org) or 206-720-4996 or Becca Glasgow at [becca\\_glasgow@hotmail.com](mailto:becca_glasgow@hotmail.com) or 360-359-2454.

Sincerely,  
Judicial Institute Fundraising Members

  
Becca Glasgow  
WA Women Lawyers

  
Erica Chung  
WA Initiative for Diversity

cc: Pam Dittman, Gender and Justice Commission ✓



**Gender & Justice Commission**  
**Proposed Budget July 1, 2014 - June 30, 2015**

Projected Spending	Starting Budget = \$150,000	Projected as of 4.1.15	Projected as of 5.1.15	Estimated Expenditures thru June 30
<b>Salaries &amp; Benefits</b>	Staff (1.0 FTE: Manager, 0.65 FTE Program Coordinator)**	\$119,084	\$102,821	\$105,795
<b>Commission Meetings</b>	Travel-related costs for members & staff (lodging, per diem, mileage, airfare, etc.) (Sept, Nov, Jan, March, May)	\$5,500	\$5,500	\$9,300
	July 2014 - Retreat (Facilities Only)	\$4,282		\$4,282
	March 2015 - Reception (Food Only)	\$1,250		\$720
<b>General Operating Expenses</b>	Printing, conference calls, supplies, etc.	\$2,575	\$2,575	\$3,768
<b>Staff Travel &amp; Training</b>	Registration Fees, Travel-related costs Local and National conferences	\$6,500	\$1,500	\$5,800
<b>Committee Work</b>				
<b>Communications</b>		\$0	\$0	\$0
<b>Domestic Violence</b>	<i>Captured under FFY14 STOP Grant Funds</i>	\$0	\$0	\$0
<b>Education Committee</b>	<b>SCJA Spring Program Proposals</b>			
	<i>Costs Captured under FFY14 STOP funds</i>	\$0	\$0	\$0
	<b>DMCJA Spring Program Proposals</b>			
	<i>Costs Captured under FFY14 STOP funds</i>	\$0	\$0	\$0
	<b>Fall Conference 2014</b>			
	Race: The Power of an Illusion	\$1,100	\$1,100	\$1,100
	<b>Appellate Conference 2015</b>			
	Feminist Legal Theory	\$1,000	\$1,000	\$500
<b>Incarcerated Women &amp; Girls</b>	Stakeholder Mtg - July 31, 2014	\$1,100	\$1,250	\$1,051
<b>Tribal State Court Consortium</b>	Fall Conference 2014 Mtg	\$1,500	\$1,250	\$1,786
<b>Women in the Profession</b>	Judicial Officer & Law Student Reception	\$0	\$0	\$0
<b>Initiatives/Sponsorships</b>	Mission Creek Event (October 2014)	\$100	\$100	\$25
	WA Initiative for Diversity - Judicial College	\$1,000	\$1,000	\$1,000
	WA Initiative for Diversity - Legal Exec Summit	\$0		\$500
	OCLA Civil Legal Needs Study	\$12,500	\$12,500	\$12,500
	CSEC Training - August 2, 2014	\$1,500	\$1,260	\$1,235
	Sponsorship - CZ Smith	\$500	\$500	\$500
		<b>\$159,491</b>	<b>\$132,356</b>	<b>\$149,862</b>

\*\*Projected \$16,242.74 savings with Danielle Pugh-Markie's departure.

Updated 5.1.2015



**STOP BUDGET FFY14**  
**Proposed Budget January 1, 2015 - December 31, 2015**

Projected Spending	Total = \$133,192	\$98,266	\$34,926
		DV Projects	SA Projects
Salaries & Benefits	Staff (Program Coordinator = 0.35 FTE)	\$23,178	\$9,926
Office Supplies, Copies, Printing		\$1,500	
Staff Training & Education	To attend local and national conferences and training events	\$8,000	
Contracts	PSC14119 - Center for Court Innovation re: Sentencing & Monitoring Project ( <i>carry over from FFY13</i> )	\$10,000	
Judicial Officer Training & Continuing Education	Scholarships for judicial officers to attend local and national conferences & training events as related to DV/SA		
	Enhancing Judicial Skills in DV (Lodging & Airfare Only) (\$1000*8)	\$8,000	
	Continuing Judicial Skills in DV (Lodging & Airfare Only) (\$1,000*3)	\$3,000	
	NCJFCJ National Conference (\$3200*5)	\$16,000	
	Children's Conference (Courthouse Facilitators Registration Only) (\$199*10)	\$1,990	
	Supplement SA judicial officer training		\$15,000
Education Proposals	<b>SCJA Spring Program Proposals</b>		
	Abusive Litigation	\$1,500	
	Hot Topics (Firearms/Bench Guide)	\$1,800	
	<b>DMCJA Spring Program Proposals</b>		
	Strangulation	\$2,600	
Proposed Work	King County DV Symposium	\$5,000	
	Judicial Roundtable	\$7,500	
	Working with Tribal courts on SA issues		\$10,000
	Undetermined	\$8,198	
	HB1840 re: surrender of firearms		
	Totals per portion of grant	\$98,266	\$34,926
	Total Grant	\$133,192	

Updated 5.6.2015



To whom it may concern:

Nov. 6<sup>th</sup> 2014

I'm writing in behalf of all the women housed here at MCCW. These women have whom are in need of legal resources and documentation to help them prepare for direct appeals and other legal matters including custody cases, dissolutions, and information on how to file legal documents ourselves.

Doc. allows the larger Institutions access to legal libraries yet policy states smaller facilities may allow minimum security offenders temporary transfers to use the libraries or legal books by mail. But this is very hard to get approved here in our institution.

Therefore, we would like to propose a way to get a program added to our resource computer(s) that we have currently in each unit, that would allow us that kind of access. We're not asking for the program to be an extensive one but enough to help us address a larger part of the problem.

Doc policy states we are allowed the above forementioned access and by law we have the right to work on our appeals and other legal matters, most of which is very time consuming and challenging when one doesn't know the appeal process.

Again this has been an issue for the women here at MCCW and I hope to offer a simple solution. Thank you very much for your time in regards to this matter.

Also attached is a copy of  
Doc policy on legal access.

Sincerely

Cheryl Strong # 824902  
and the women at MCCW

Personal Copy



Cheryl A Strong  
824902

We are allowed a transfer from MCCCW  
back to WCCW for access to the legal  
library for our direct appeals, but only  
if we have proof of a time frame or  
legal documentation stating a legal time  
frame or we are not allowed that transfer  
in cases like mine my time frame  
expired before I got that legal  
documentation



# **The Relational Theory of Women's Psychological Development: Implications for the Criminal Justice System**

*By*

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Co-Director  
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Center for Gender and Justice*

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**Ruth Zaplin, Editor (2007)**

## **INTRODUCTION**

Some of the most neglected and misunderstood women and girls in our society are those in our jails, prisons, community and juvenile correctional facilities. Because women and girls' rate of incarceration has increased dramatically in recent decades, rising nearly eightfold between 1980 and 2000, the criminal justice system has begun to acknowledge the need for a deeper understanding of gender issues (Bloom, Owen and Covington, 2003). The relational theory of women's psychological development helps us understand what women and girls need from our criminal justice system.

The purpose of this chapter is to explain what relational theory is and how it applies to correctional settings. First, there is a brief profile of female offenders—their race, class, age, offenses, and experiences of trauma and addiction. It's important to remember the population we are serving in order to determine how we can make a difference in their lives. Second, relational theory is discussed, as well as what constitutes a "growth-fostering relationship." Third, relational theory is applied to the criminal justice system and begins to address the following questions: What are gender-specific services? What does relational theory tell us about the childhood and adult experiences of female offenders? The role of motherhood? The issues of re-entry? And, what does relational theory tell us about corrections on a systemic level? Fourth, because many female offenders have histories of addiction and trauma, theories of addiction and trauma are viewed in light of relational theory to see how best to treat women and girls with these issues. And finally, several specific treatment curricula are presented that are based on relational theory.

## **WOMEN AND GIRLS IN THE CRIMINAL JUSTICE SYSTEM: WHO ARE THEY?**

The rate of women's incarceration continues to grow at a faster rate than men's despite a decrease in violent crime committed by women. What accounts for this increase is a combination of factors: tougher sentencing laws for women's drug offenses, the building of new facilities for women, and an increase in women's non-violent property crimes during two economic recessions.

The story behind these numbers begins with an understanding of women's pathways into criminality as well as the unique issues women confront as a result of their race, class, and gender. Research confirms that women offenders differ significantly from their male counterparts in terms of their personal histories and how they enter into crime (Belknap, 2001). For example, female offenders are more likely to share a history of physical and/or sexual abuse. They are often the primary caretakers of young children at the time of arrest and they have separate, distinctive physical and mental needs. Their involvement in crime is often economically motivated, driven by poverty and /or substance abuse. Women are also less likely to be convicted of a violent offense, and their risk to society is much lower than that of men. In other words, women offenders face gender-specific adversities – namely, sexual abuse, sexual assault, domestic violence, and poverty (Covington & Bloom, in press, 2006). A recent study of women in prison-based drug treatment programs shows that drug-dependent women and men differ with regard to employment histories, substance-abuse problems, criminal involvement, psychological functioning, sexual and physical abuse histories, and child-support activity prior to incarceration (Messina, Burdon, Hagopian and Prendergast, 2006).

Juvenile offenders also reflect gender differences. Rates for less serious crimes, such as smoking marijuana and shoplifting, are similar for boys and girls. But rates of serious and violent crime are lower among girls. Girls, for example, are more likely than boys to be arrested and detained for status offenses—acts that would not be offenses if committed by an adult, such as promiscuity, truancy, or running away (Sherman, 2005). A national study found that institutionalized girls are far more likely to think about and attempt suicide than are boys (Wells, 1994). One explanation for this self-destructiveness is that, like their adult counterparts, girls in the criminal justice system have high rates of physical and sexual abuse. (Abuse survivors in general attempt suicide more often than do persons without abuse histories.) Also, many girls enter the system pregnant; some become pregnant while incarcerated (Belknap, Dunn, and Holsinger, 1997).

A national profile outlines the following characteristics of women offenders (Bloom, Owen, and Covington, 2003):

- Disproportionately women of color
- In their early-to-mid-thirties
- Most likely to have been convicted of a drug or drug related offense
- Fragmented family histories, with other family members also involved with the criminal justice system
- Survivors of physical and/or sexual abuse as children and adults
- Significant substance abuse, physical and mental health problems
- High school degree/GED, but limited vocational training and uneven work histories

In short, the females flooding our criminal justice system are mostly young, poor, undereducated, women and girls of color with complex histories of trauma and addiction. Most are nonviolent and not threats to the community. Survival (of abuse and poverty) and addiction are the most common pathways to crime for women. Their greatest needs are multi-faceted treatment for addiction and trauma recovery, and education for job and parenting skills. They need the opportunity to grow, to learn, to make changes in their lives. As Mary Leftridge Byrd, former Superintendent of the Muncy Women's Prison in Pennsylvania, said in her message to new inmates, "This period of incarceration . . . can be a 'time out' for reflection, collecting yourself and honestly confronting the reason you find yourself in this place. . . . Do not simply serve time, let the time serve you. Do not just let things happen, make things happen" (Byrd, 1998).

However, the current focus and goal of our criminal justice system is control, not change. The environment of most correctional facilities does not facilitate growth and development in women's lives. But what kind of environment would help women change? When we understand women's psychological development, we discover the kind of environment that facilitates growth. Relational theory can help us create the kinds of programs and environment in the criminal justice system that will be most effective for women and girls.

#### **RELATIONAL THEORY: WHAT IS IT?**

Over the past three decades, there has been a recognition and acknowledgement of the differences between women and men. One difference is the way in which men and women develop psychologically. Jean Baker Miller posed the question of how women develop in her 1976 book, *Toward a New Psychology of Women*. Until then, traditional theories of psychology described development as a climb from childlike dependence to mature independence. A person's goal, according to these theories, was to become a self-sufficient, clearly differentiated, autonomous self. A person would spend his or her life separating and individuating until he or she reached maturity, at which point the person was equipped for intimacy.

Miller challenged the assumption that separation was the route to maturity. She suggested that those theories might be describing men's experience, while a woman's path to maturity was different. A woman's primary motivation, said Miller, is to build a sense of connection with others. Women develop a sense of self and self-worth when their actions arise out of, and lead back into, connections with others. Connection, not separation, is the guiding principle of growth for women.

Previously, theoreticians had treated women's emphasis on connection as a sign of deficiency. Working at the same time as Miller, Carol Gilligan, a developmental psychologist, was gathering empirical data that reflected fundamental gender differences in the psychological and moral development of women and men (Gilligan, 1982). In her book, *In a Different Voice: Psychological Theory and Women's Development*, Carol Gilligan observed, "The disparity between women's experience and the representation of human development, noted throughout the psychological literature, has generally been seen to signify a problem in women's development. Instead, the failure of women to fit existing models of human growth may point to a problem in the representation, a limitation in the conception of the human condition, an omission of certain truths about life" (Gilligan 1982, pp. 1-2).

Miller's work led a group of researchers and practitioners to examine the importance of gender differences in understanding women's psychological development. The Stone Center at Wellesley College was created for the purpose of thinking through the qualities of relationships that foster healthy growth in women (Jordan, 1984, 1985; Jordan & Surrey, 1986; Kaplan, 1984; Surrey, 1985). The basic assumption of the Stone Center model is that "connection" is a basic human need, and that this need is especially strong in women (Jordan, Kaplan, & Miller, 1991). All people need both connection with others and differentiation from others, but females are more attuned to connection while males are more attuned to differentiation. Byington (1997) explained this connection as follows:

Theoretically, girls perceive themselves to be more similar than different to their earliest maternal caretakers, so they do not have to differentiate from their mothers in order to continue to develop their identities. This is in contrast to boys, who must develop an identity that is different from the mother's in order to continue their development. Thus, women's psychological growth and development occur through adding to rather than separating from relationships. Consequently, defining themselves as similar to others through relationships is fundamental to women's identities (p. 35).

A "connection" in the Stone Center relational model is "an interaction that engenders a sense of being in tune with self and others, of being understood and valued" (Byington, 1997, p. 35). True connections are mutual, empathic, creative, energy-releasing, and empowering for all participants (Miller, 1986). Such connections are so crucial for women that women's psychological problems can be traced to disconnections or violations within relationships—whether in families, with personal acquaintances, or in society at large.

*Mutuality* means that each person in a relationship can represent her feelings, thoughts, and perceptions, and can both move with and be moved by the feelings, thoughts, and perceptions of the other person. Each person, as well as the relationship, can change and move forward because there is mutual influence and mutual responsiveness.

*Empathy* is a complex, highly developed ability to join with another at a cognitive and affective level without losing connection with one's own experience. An empathic person both feels personally authentic in the relationship and feels she can "see" and "know" the other person. A growth-fostering relationship requires mutual empathy, which in turn requires that both parties have the capacity to connect empathically.

Mutuality and empathy empower women not with power *over* others, but rather power *with* others. In traditional relationships, one person or group of persons is often dominant and the other subordinate, or one person or group is assigned the task of fostering the psychological development of others. Historically, women have been assigned the task of fostering the psychological development of others, including men and children. By contrast, in mutually empowering

relationships, each person grows in psychological strength or power. Women become more able to share power for constructive, creative ends.

Mutual, empathic, and empowering relationships produce five psychological outcomes. All participants gain: 1) increased zest and vitality, 2) empowerment to act, 3) knowledge of self and others, 4) self-worth, and 5) a desire for more connection (Miller, 1986). These outcomes constitute psychological growth for women. Mutuality, empathy, and power with others are essential qualities of an environment that will foster growth in women.

By contrast, Miller (1990) has described the outcomes of disconnections—non-mutual or abusive relationships—which she terms a “depressive spiral.” These are: 1) diminished zest or vitality, 2) disempowerment, 3) unclarity or confusion, 4) diminished self-worth, and 5) a turning away from relationships. All relationships involve disconnections, times when people feel their separateness and distance. However, growth-fostering relationships are able to allow disconnections that, with effort on each person’s part, can be turned into connections. In non-mutual and/or abusive relationships, disconnections are not turned into true connections.

Drawing on Miller’s and Gilligan’s work, the Stone Center theorists over the past 25 years have been developing a relational model of women’s psychology. This was originally called Self-in-Relation theory and is currently called Relational-Cultural Theory. According to Kaplan (1984), the three major concepts in relational theory are:

Cultural context. This theme recognizes the powerful impact of the cultural context on women’s lives.

Relationships. This theme stresses the importance of relationships as the central, organizing feature in women’s development. Traditional developmental models of growth emphasize independence and autonomy. This theory focuses on women’s connection with others.

Pathways to growth. The third theme acknowledges women’s relational qualities and activities as potential strengths that provide pathways to healthy growth and development. In traditional theory, women’s ability to more freely express emotions, and women’s attention to relationships, often led to pathologizing them

The relational model affirms the power of connection and the pain of disconnection for women. As a result, the approach requires a paradigm shift that has led to a reframing of key concepts in psychological development, theory, and practice. For example, instead of the “self” as a primary focus, there is a focus on relational development. The experience of connection and disconnection are the central issues in personality development, with repeated disconnections having psychological consequences.

## **RELATIONAL THEORY AND THE CRIMINAL JUSTICE SYSTEM**

### **Gender-Responsive Services**

For several reasons, an understanding of relational theory is important for those who work in the criminal justice system. First, most current programs have been designed by men for men. In order to develop effective services for women and girls, we need to create programs for them based on the reality of their lives and on what we know about female growth and development. Being gender-responsive means creating an environment through site selection, staff selection, program development, content and material that reflects an understanding of the realities of women's and girls' lives and addresses their strengths and challenges (Covington & Bloom, 2003). In a 1997 report on gender-responsive services for adolescent girls to the governor from the Office of Criminal Justice Services for the State of Ohio, Belknap et al. (1997) wrote,

When examining gender-specific programming, it is important to recognize *equality does not mean "sameness."* Equality is not about providing the same programs, treatment and opportunities for girls and boys. . . . Equality is about providing opportunities that mean the same to each gender. This new definition legitimizes the differences between boys and girls. Programs for boys are more successful when they focus on rules and offer ways to advance within a structured environment, while *programs for girls are more successful when they focus on relationships* with other people and offer ways to master their lives while keeping these relationships intact (p. 23, emphasis added).

That report went on to list the following criteria for gender-specific programming and service delivery systems (p. 23):

- meet the unique needs of females
- acknowledge the female perspective
- support the female experience through positive female role models
- listen to the needs and experiences of adolescent females
- recognize the contributions of girls and women
- respect female development
- empower girls and young women to reach their full potential
- work to change established attitudes that prevent or discourage young women from recognizing their potential

As expressed in the American Correctional Association (ACA, 1995) *Policy Statement*, "Correctional systems should be guided by the principle of parity. Female offenders must receive the equivalent range of services available to male offenders, including opportunities for individual programming and services that recognize the unique needs of this population" (p. 2). Parity differs conceptually from "equality": Women offenders should receive opportunities, programs, and services that are equivalent, but not identical, to those available to male offenders (Bloom, Owen, & Covington, 2003).

Another key element of policy for women offenders concerns a review of policies and procedures. Although staff working directly with female offenders on a day-to-day basis are aware of the

procedural misalignment of some procedures with the realities of women's lives, written policy often does not reflect the same understanding of these issues. As stated by the ACA, "Sound operating procedures that address the (female) population's needs in such areas as clothing, personal property, hygiene, exercise, recreation, and visitations with children and family" should be developed (ACA 1995, p. 2).

Children and families play an important role in the management of women offenders in community and custodial settings. As noted elsewhere in this chapter, more female than male offenders have primary responsibility for their children. However, female offenders' ties to their children are often compromised by criminal justice policy. ACA policy states that the system should "facilitate the maintenance and strengthening of family ties, particularly between parents and children (ACA 1995). In Florida, an emphasis is on the relationship of women offenders with their children and other family members because it has potential rehabilitative effects in terms of motivation for treatment and economic responsibility.

The guiding principles that follow are designed to address system concerns about the management, supervision, and treatment of women offenders in the criminal justice system. They provide a blueprint for a gender-responsive (a woman- and girl-centered) approach to the development of criminal justice services (Bloom, Owen, & Covington, 2003).

- *Gender*: Acknowledge that gender makes a difference.
- *Environment*: Create an environment based on safety, respect, and dignity.
- *Relationships*: Develop policies, practices, and programs that are relational and promote healthy connections to children, family, significant others, and the community.
- *Services and Supervision*: Address substance abuse, trauma, and mental health issues through comprehensive, integrated, and culturally relevant services and appropriate supervision.
- *Socioeconomic status*: Provide women with opportunities to improve their socioeconomic conditions.
- *Community*: Establish a system of comprehensive and collaborative community services.

Note that the above principles state "...culturally relevant services..." Culture may be seen as a framework of values and beliefs and a means of organizing experiences. Providing appropriate services and supervision for a woman calls for consideration of the particular circumstances of each woman – of her reality as it has been informed by her individual history, including her class and racial, ethnic, and cultural context. No two women exist in exactly the same circumstances and context, although all exist in the same circumstance as women.

A risk of "cultural encapsulation" exists when correctional personnel allow culturally based perceptions of reality to dominate (Wren, 1962). A culturally encapsulated person, unable to see others through a different cultural lens, may regard as pathological what is normal for the minority group (Falicov, 1998). The challenge is to become culturally attuned; that is, to become aware and accepting of cultural differences when working with someone from a different cultural background.

## The Relational Experiences of Women

The second reason why we need to understand relational theory is to avoid re-creating in correctional settings the same kinds of growth hindering and/or violating relationships that women and girls experience in the free world. It is also important to consider how women's life experiences may affect how they will function in the criminal justice system.

Abusive families and battering relationships are typical in the lives of female offenders (Chesney-Lind, 1997; Owen & Bloom, 1995). Frequently, adult female offenders had their first encounter with the justice system as juveniles – often after running away from home to escape situations involving violence and sexual or physical abuse. In such situations, prostitution, property crime, and drug use become a way of life. Not surprisingly, addiction, abuse, economic vulnerability, and severed social relations often result in homelessness, another frequent complication in the lives of women in the criminal justice system (Bloom, 1998).

Studies of female offenders point to yet another gender difference – the importance of relationships and the criminal involvement that often results from relationships with family members, significant others, or friends (Chesney-Lind, 1997; Owen, 1998; Owen & Bloom, 1995; Pollock, 1998). Women are often first introduced to drugs by their partners, and these partners frequently continue to supply drugs. Women's attempts to get off drugs and their failure to supply partners with drugs through prostitution or other means often elicit violence from their partners. However, many women remain attached to their partners despite neglect and abuse. These issues have significant implications for therapeutic interventions addressing the impact of relationships on women's current and future behavior.

As mentioned, disconnection and violation characterize the childhood experience of most women and girls in the system. According to a sampling of women in a Massachusetts prison (Coll & Duff, 1995), 38 % of the women had lost parents in childhood, 69 % had been abused as children, and 70 % had left home before age 17. They lacked experience of mutual and empathic relationships. Although Gilligan, Lyons, & Hanmer (1990) report that girls are socialized to be empathic more than boys, incarcerated women and girls have been exposed repeatedly to non-empathic relationships and so either lack empathy for both self and others, or are highly empathic toward others but lack empathy for self. In order to change, women need to experience relationships that do not re-enact their histories of loss, neglect, and abuse.

Likewise, disconnection and violation have characterized most of the adult relationships of women in the system. Seventy % of women in the Massachusetts study had been repeatedly abused verbally, physically, and/or sexually as adults (Coll & Duff, 1995). Another study, this one of drug-abusing pregnant women (Amaro & Hardy-Fanta, 1995), found that:

Men who go to jail, men who do not take care of them or their children, and men who disappoint them fill the lives of these women. Even more striking is the extent to which the women

suffered physical abuse from their male partners. Half of the women in this study reported abuse from the men in their lives; occasionally from 'tricks,' although more typically from their partners (p. 333).

Women at high risk for drug abuse are frequently isolated socially—single parents, unemployed, or recently separated, divorced, or widowed (Finkelstein, 1993; Finkelstein & Derman, 1991; Wilsnack et al., 1986). Psychological isolation also occurs when the people in a woman's world fail to validate and respond to her experience or her attempts at connection. Miller (1990) has described the state of "condemned isolation" where a woman feels isolated in her important relationships and feels that she is the problem; that she is condemned to be isolated, with no possibility of changing this situation. This state of shame and condemned isolation is highly correlated with drug use, as drugs become a way of coping with intense feelings and a sense of hopelessness.

Jordan et al. (1991) have described the tremendous cultural shaming around women's yearnings for connection, sexuality, and emotionality. Women are prone to feel personally deficient—"something is wrong with me"—to take responsibility for problematic relationships, and thus to seek all kinds of ways to alter themselves. In nonmutual relationships, women often carry the disavowed feelings of pain, anger, or fear of those with whom they are connected. Women and girls in the criminal justice system endure even heavier shame, as society stigmatizes them as female offenders.

Together, abuse, isolation, and shame can send women into the previously mentioned "depressive spiral" that is the opposite of growth: 1) diminished zest or vitality, 2) disempowerment, 3) unclarity or confusion, 4) diminished self-worth, and 5) a turning away from relationships. This depressive spiral characterizes too well the females in our criminal justice system.

### **The Role of Motherhood**

A major difference between female and male offenders involves their relationships with their children. The Bureau of Justice Statistics reports that in 1997, 65 % of the women in state prisons and 59 % of the women in federal prisons had minor children. The majority were single mothers, with an average of two children. About two-thirds of women in state prisons and one-half of women in federal prisons lived with their young children before entering prison. Furthermore, the number of children with incarcerated mothers nearly doubled between 1991 and 1999 – from 64,000 to 126,000. Currently, it is estimated that 1.3 million minor children have a mother who is under some form of correctional supervision (Mumola, 2000).

Incarcerated women are mostly portrayed as inadequate, incompetent mothers who are unable to provide adequately for the needs of their children (Garcia Coll et al., 1998). In reality, the stress of separation from and concern about the well-being of their children are among the most damaging aspects of prison for women, and the problem is exacerbated by a lack of contact (Baunach, 1985; Bloom & Steinhart, 1993). "One of the greatest differences in stresses for women and men serving time is that the separation from children is generally a much greater hardship for women than for men" (Belknap, 1996, p. 105). For many incarcerated mothers, their relationships – or lack thereof – with their children can profoundly affect how they function in the criminal justice system. Often,

behaviors such as negativism, manipulation, rule breaking, and fighting among incarcerated women are signs of what Garcia Coll et al. (1998) have described as “resistance for survival” in response to the grief, loss, shame, and guilt these women feel about their roles as mothers.

Grandparents most frequently care for the children of female offenders, while approximately 10 % of these children are in foster care or group homes. According to the Bureau of Justice Statistics, 54 % of mothers in state prisons had no personal visits with their children since their admission (Mumola 2000). Geographical distance, lack of transportation, the prisoner-caregiver relationship, and the caregiver’s inability to bring a child to a correctional facility represent the most common reasons for a lack of visits. In some cases, the forced separation between mother and child can result in permanent termination of the parent-child relationship (Genty, 1995). In addition, passage of the Adoption and Safe Families Act (ASFA) in 1997 increased the risk of such termination. This legislation allows states to file for termination of parental rights if a child has been in foster care for 15 or more of 22 consecutive months.

Even when a child is able to visit an incarcerated mother, the event is often not a positive experience. Few correctional programs assess themselves through the eyes of children. Prison visiting facilities are created solely to address the issues of safety and security, without consideration for how a child experiences the prison environment. Such issues as travel logistics, clearance processes, noise levels and distractions in visiting rooms, privacy, and the availability of toys or other child-friendly resources—any or all of which can have a profound impact on the visiting child’s experience—are most often ignored. What should be an experience fostering family support and connection is instead often an unpleasant or traumatic occasion for both the child and the mother.

The only source of hope and motivation for many women during their involvement with the criminal justice system and their transition back to the community is a connection with their children. When asked why some women return to prison, one mother commented:

Many women that fall [back] into prison have the problem that their children have been taken away. When they go out to the street, they don’t have anything, they have nothing inside. Because they say, “I don’t have my children, what will I do? I’ll go back to the drug again. I will go back to prostitution again. And I’ll go back to prison again. Why fight? Why fight if I have nothing?” (Garcia et al., 1998, p. 266).

Recognizing the centrality of women’s roles as mothers provides an opportunity for criminal justice, medical, mental health, legal, and social service agencies to include this role as an integral part of program and treatment interventions for women.

The invisibility of women in the criminal justice system often extends to their children. And this situation is exacerbated by the fact that there are few sources of data about offenders’ children. However, one study (Johnston, 1995) identified three factors that were consistently present in the lives of the children of incarcerated parents: parent-child separation, enduring traumatic stress, and

inadequate quality of care. Not surprisingly, these factors can have a profound impact on children's ability to successfully progress through the various developmental stages of childhood. For instance, children born to women in the criminal justice system experience a variety of prenatal stressors (e.g., a mother's drug or alcohol use, poor nutrition, and high levels of stress associated with criminal activity and incarceration). Better outcomes can be achieved if mothers can adopt more stable lifestyles and receive adequate nutrition and proper medical care. There is a clear need for a range of prenatal services for women during both their incarceration and their transition back to the community (Johnston, 1995).

Parental crime and incarceration continues to impact children throughout adolescence. These children are subjected to unique stressors because of their parents' involvement with the criminal justice system. Johnston (1995) has identified higher rates of troubling behaviors, including aggression, depression, anxiety, parentified behaviors, substance abuse, and survivor guilt among these children, as well as an increased risk that they, too, will become involved with the criminal justice system. It is important that gender-responsive interventions for women in the system better address the effects of parental incarceration on children.

### **Re-entry and Relational Theory**

If women are to be successfully reintegrated back into society after serving their sentences, there must be a continuum of care that can connect them to a community. In addition, the planning process must begin as soon as women begin serving their sentences, rather than during the final 30 to 60 days of a prison term (the current practice). In fact, very few inmates have reported receiving pre-release planning of any kind in prisons and jails (Lynch & Sabol, 2001). However, women re-entering the community after incarceration require transitional services from the institution to help them reestablish themselves and their families. These former prisoners also need transitional services from community corrections and supervision to assist them as they begin living on their own again (Covington, 2003a).

Ideally, a comprehensive approach to reentry services for women would include a mechanism to allow community-based programs to enter institutional program settings. At the women's prison in Rhode Island, former Warden Roberta Richman opened the institution to the community through the increased use of volunteers and community-based programs. This policy allowed the women to develop connections with community providers as a part of their transition process. It also created a mutual accountability between the prison and the community (Richman, 1999).

The restorative model of justice is yet another means for assisting female offenders as they prepare to reintegrate themselves into their neighborhoods and communities. The framework for restorative justice involves relationships, healing, and community, a model in keeping with female psychosocial developmental theory. To reduce the likelihood of future offending among known lawbreakers, official intervention should emphasize restorative rather than retributive goals. Offenders should be provided opportunities to increase their "caring capacity" through victim restitution, community service, and moral development opportunities, rather than be subject to experiences that encourage violence and egocentrism (as do most prisons and juvenile institutions in the United States) (Pollock, 1999, p. 250).

In turn, this process provides yet another mechanism to link women with support and resources.

### **Relational Theory: A Systems View**

Tragically, current correctional settings often recreate women's relationships of disconnection and violation on a systemic level. Our criminal justice system, which is based on power and control, reflects the dominant/subordinate model of our patriarchal society. It is a microcosm of the larger social system. Relationships in correctional settings are based on ranking people, with women and girls at the lowest rung of the ladder. This ranking is even reflected in the classification and pay scale of correctional employees. Those who work with females often earn less and are seen as having less important jobs. In addition, the women who work in correctional settings often feel neglected and abused by the sexist culture. When relationships among staff are nonmutual and disrespectful, there is an increased risk that staff will treat offenders in the same way.

"Condemned isolation" describes what women and girls often experience in this system. Although their life experiences have much in common, they are not encouraged to bond and connect with one another. In their isolation from families and children, they often try to create "pseudo-families" on the inside (Owen, 1998). These families and relationships are discouraged. Furthermore, drugs are often available in jails and prisons, sometimes brought in and sold or bartered by correctional officers (Salholz & Wright, 1990). Staff members can form the same kinds of destructive relationships with women that women have had with their supplier-partners on the outside.

Women are also at risk for abuse within the prison system. An ongoing investigation by the Human Rights Watch Women's Rights Project documented custodial misconduct in many forms, including verbal degradation, rape, sexual assault, unwarranted visual supervision, denying goods and privileges, and use or threat of force. "Male correctional officers and staff contribute to a custodial environment in state prisons for women that is often highly sexualized and excessively hostile" (Human Rights Watch Women's Rights Project 1996, p. 2). Chesney-Lind & Rodriguez (1983) found a significant risk of male staff and other inmates sexually assaulting incarcerated girls. Yet the girls, not the males, are stigmatized: "there is considerable documentation of incarcerated pregnant females being encouraged or even forced to give their babies up for adoption . . . even if the girl became pregnant while incarcerated" (Belknap et al., 1997, p. 15).

What women need instead is an application of relational theory on a system-wide basis. A pilot project in a Massachusetts prison found women benefiting from a group in which women both received information and had the opportunity to practice mutually empathic relationships with each other (Coll & Duff, 1995). Women also need relationships with correctional staff that are respectful, mutual, and compassionate. Respect was one of the main things girls in the Ohio study said they needed from staff (Belknap et al., 1997, pp. 25-26). Finally, women will benefit if relationships among staff members, and between staff and administration, are mutual, empathic, and aimed at power-with-others rather than power-over-others. The culture of corrections (the environment created by the criminal justice system) can be altered by the application of relational theory.

### **OTHER RELEVANT THEORIES**

When used as a core construct, relational theory can help us develop an approach to programs in correctional settings that is gender sensitive, addressing itself to the realities of women's and girls' lives. Two other theories—a holistic theory of addiction and a theory of trauma—can further aid in designing gender-responsive services (Covington, 1998, 1999; Covington & Bloom, in press). Because addiction and trauma dominate the lives of many female offenders, it makes sense to understand how these experiences affect women and how women recover from such experiences. The following is an examination of both theories through a relational lens.

### **Addiction Theory**

Drug violators typically return to criminal patterns of behavior after release unless their drug addiction is addressed while they are incarcerated or immediately upon release (Moon et al., 1993). Because 61 % of women in federal prisons are there for drug offenses, and because up to 80 % of women in state prisons are long-standing substance abusers, we need to understand how addiction and recovery work among women. Recovery is possible, and we have the opportunity to assist women and girls in beginning the recovery process.

Addiction can be viewed as a kind of relationship. The addicted woman/girl is in a relationship with alcohol or other drugs, “a relationship characterized by obsession, compulsion, nonmutuality, and an imbalance of power. It is a kind of love relationship in which the object of addiction becomes the focus of a woman's life” (Covington and Surrey 1997, p. 338). Addicted women frequently use relational imagery to describe their drug use, such as “My most passionate affair was with cocaine.” At first the drug is her best friend, but as women describe the progress of their addiction, they say things like, “I turned to Valium, but then Valium turned on me.” We can speak of addiction as a contraction of connection. Recovery, then, is an expansion of connection (Covington & Beckett, 1988).

Moreover, women frequently begin to use substances in ways that initially seem to make or maintain connections, in an attempt to feel connected, energized, loved, or loving when that is not the whole truth of their experience (Surrey, 1991). Women often turn to drugs in the context of relationships with drug-abusing partners—to feel connected through the use of drugs. Male friends and partners often introduce women to alcohol and drugs, partners are often their suppliers, and partners often resist their efforts to stop using drugs.

Women may begin to use substances to alter themselves to fit the relationships available. Miller (1990) has described this basic relational paradox—when a woman cannot move a relationship toward mutuality, she begins to change herself to maintain the relationship. Stiver (1990) has written about children of “dysfunctional” families who frequently turn to substances to alter themselves to adapt to the disconnections within the family, thus giving the illusion of being in relationship when one is not or is only partially in relationship.

Women often use substances to numb the pain of nonmutual, nonempathic, even violent relationships. Addicted women's lives are full of men who disappoint them, don't provide for their children, and go to jail. These women long for the fathers of their children to provide emotional and financial support, but such longings often lead to disappointment and solace in drug use. Worse,

many women report violence from the men in their lives. Nonmutual or abusive relationships produce the “depressive spiral” described above, and women may then turn to substances to provide what relationships are not providing, such as energy, a sense of power, or relief from confusion. These behaviors are characteristic of chemically dependent women in general, yet it is magnified for those in the criminal justice system.

Traditionally, addiction treatment has been based on a medical model, which views addiction as a disease. The most commonly used analogy is that addiction is like diabetes, a physical disease that carries no moral or social stigma. This analogy is often useful because neither diabetes nor addiction can be managed by will power. They both require adherence to a lifestyle regimen for physical and emotional stability.

However, this analogy sees the disease/disorder rooted solely in the individual. As we move into the twenty-first century, health professionals in many disciplines are revising their concept of disease in general. Based on a holistic health model, we are now acknowledging not only the physical aspects of disease, but also the emotional, psychological, and spiritual aspects (Northrup, 1994).

We will better understand addiction as a disease/disorder if we see it holistically and include cancer as an analogy. The diabetes model is useful, but too individualistic and simplistic to adequately explain addiction. “Like cancer, addiction has a physical component as well as emotional, psychological, and spiritual dimensions. . . . [T]wo other components of disease must also be added to a fully holistic model: the environmental and the sociopolitical dimensions” (Covington, 1998, p.147). It’s interesting that few people question that cancer is a disease, while many question that addiction is a disease, even though up to 80 % of doctors link cancer to lifestyle choices (diet and exercise) and the environment (pesticides, emissions, nuclear waste, etc.) (personal communication, Siegel, 1996).

There are also sociopolitical aspects of both cancer and addiction: both carcinogenic products and addictive substances (legal and illegal) make huge profits for powerful business interests. In addition, medical doctors prescribe 80 % of the amphetamines, 60 % of the psychoactive drugs and 71 % of the antidepressants to women (Galbraith, 1991). Companies that produce and sell alcohol are indirectly responsible for over 23,000 deaths and 750,000 injuries each year—and these are only the figures reported to insurance companies (Zawistowski, 1991). Even though some women may have a strong genetic predisposition to addiction, an important treatment issue is acknowledging that many of them have grown up in an environment where drug dealing and addiction are a way of life.

A holistic model of addiction is essentially a systems perspective. We look at the complete woman and try to understand the connection of addiction to every aspect of the self—physical, emotional, and spiritual. We understand that the addicted woman is not using alcohol or other drugs in isolation, and we take into account her relationships to family, loved ones, her local community, and society.

The Center for Substance Abuse Treatment (CSAT) funds ongoing studies of women’s addiction and treatment, establishes minimum standards for treatment, and provides demonstration models for treatment in programs around the country. It operates within the U.S. Public Health Service, an agency of the Department of Health and Human Services. CSAT (1994, p. 178) recognizes the need

for gender-specific treatment for women, and has stated the following issues essential to a comprehensive treatment program:

1. The process of addiction, especially gender-specific issues related to addiction (including social, physiological, and psychological consequences of addiction, and factors related to the onset of addiction)
2. Low self-esteem
3. Race, ethnicity and cultural issues
4. Gender discrimination and harassment
5. Disability-related issues, where relevant
6. Relationships with family and significant others
7. Attachments to unhealthy interpersonal relationships
8. Interpersonal violence, including incest, rape, battering, and other abuse
9. Eating disorders
10. Sexuality, including sexual functioning and sexual orientation
11. Parenting
12. Grief related to the loss of alcohol or other drugs, children, family members, or partners
13. Work
14. Appearance and overall health and hygiene
15. Isolation related to a lack of support systems (which may or may not include family members and/or partners) and other resources
16. Life plan development
17. Child care and custody

The CSAT list above, like the holistic approach, takes into account physical, psychological, emotional, spiritual, and sociopolitical issues. Notice also how similar this list is to the list of issues proposed by the National Institute of Corrections (Bloom, Owen & Covington, 2003) and the Ohio study (Bloom, 1997, p. 6; Belknap et al., 1997, p. 24). CSAT also included this list in their publication on promising practices for women in the criminal justice system (CSAT, 1999).

Although the addiction treatment field considers addiction a “chronic, progressive disease,” its treatment methods are more closely aligned to those of the emergency-medicine specialist than the chronic-disease specialist (White, Boyle & Loveland, 2002). Recent articles assert that treating severe and chronic substance use disorders through screening, assessment, admission, and brief treatment, followed by discharge and minimal aftercare, is ineffective and results in shaming and punishing clients for failing to respond to an intervention design that is inherently flawed.

An alternative to the acute intervention model is *behavioral health recovery management* (BHRM). This concept grew out of and shares much in common with “disease management” approaches to other chronic health problems, but BHRM focuses on quality-of-life outcomes as defined by the individual and family. It also offers a broader range of services earlier and extends treatment well beyond traditional treatment services. BHRM models extend the current continuum of care for addiction by including: (1) pretreatment (recovery-priming) services, (2) recovery mentoring through primary treatment, and (3) sustained post-treatment recovery-support services (White et al., 2002).

Although the debate over models will continue, this updated and expanded disease perspective offers a more helpful approach to the treatment of addiction for women because it is comprehensive and meets the requirements for a multidimensional framework. The holistic health model allows clinicians to treat addiction as the primary problem while also addressing the complexity of issues that women bring to treatment: genetic predisposition, health consequences, shame, isolation, and a history of abuse, or a combination of these. For example, while some women may have a genetic predisposition to addiction, it is important in treatment to acknowledge that many have grown up in environments in which drug dealing, substance abuse, and addiction are ways of life. In sum, when addiction has been a core part of the multiple aspects of a woman's life, the treatment process requires a holistic, multidimensional approach.

When a diverse group of recovering women were interviewed, they identified four issues that changed the most for them in recovery and that most contribute to relapse: self, relationships, sexuality, and spirituality (Covington, 1994). These four issues parallel the seventeen items in the CSAT list above. The first two of these issues—self and relationships—are briefly discussed here.

Addiction can be understood as a self-disorder. A generic definition of addiction is, “the chronic neglect of self in favor of something or someone else.” One of the first questions women in recovery need to begin to address is, “Who am I?” Women in our culture are often taught to identify themselves according to role: mother, professional, wife, partner, daughter. Women in the criminal justice system also identify themselves—as does society—as offenders, and they become stigmatized. Many women also enter the system with a poor self-image and a history of trauma and abuse. Creating the kinds of programs that help women to develop a strong sense of self, an identification that goes beyond who they are in the criminal justice system, is vital to their re-entering society. Recovery is about the expansion and growth of the self.

Relationship issues are also paramount in early recovery. Recent studies confirm that gender differences exist among men and women substance abusers regarding their relationships with family members. For example, women substance abusers tend to have severe family and social problems coupled with minimal family support upon entering treatment (Grella et al. 2003). In addition, some women use addictive substances to maintain relationships with using partners, to fill up the void of what is missing in relationship, or to deal with the pain of being abused. Women in the criminal justice system often have unhealthy, illusory or unequal relationships with spouses, partners, friends and family members. For that reason, it is important for programs to model healthy relationships, among both staff and participants, providing a safe place and a container for healing (Covington, 1999). One of the greatest challenges is to overcome the alienation fostered within prison walls, and replace it with a greater sense of relationship in community. Being in community—that is, having a sense of connection with others—is essential for continuous, long-term recovery.

### **Trauma Theory**

An understanding of trauma is also essential (Covington, 2003b). Trauma is not limited to suffering violence, but includes witnessing violence, as well as the trauma of stigmatization because of poverty, racism, incarceration, or sexual orientation. We have seen that the vast majority of female

offenders have been physically and/or sexually abused both as children and adults. Thus, most female offenders are trauma survivors when they enter the system, and then they are at risk for retraumatization by the system. Incarceration can be traumatizing in itself, and the racism and classism that characterize the criminal justice system can be further traumatizing. Many women use alcohol or other drugs in order to medicate the pain of trauma. Trauma can skew a woman's relational experience and hinder her psychological development.

It is now considered necessary for all service providers to become "trauma informed" if they want to be effective. Trauma-informed services are services that are provided for problems other than trauma but require knowledge concerning violence against women and the impact of trauma. Per Harris & Falot (2001), trauma-informed services:

- take the trauma into account
- avoid triggering trauma reactions and/or retraumatizing the individual
- adjust the behavior of counselors, other staff, and the organization to support the individual's coping capacity
- allow survivors to manage their trauma symptoms successfully so that they are able to access, retain, and benefit from these services.

Becoming trauma-informed is particularly important for the criminal justice system. This is a critical step in the rehabilitation of women (Covington, 2003a).

Psychiatrist Judith Herman (1997) writes that trauma is a disease of disconnection and that there are three stages in the process of healing from trauma: (1) safety, (2) remembrance and mourning, (3) and reconnection. "Survivors feel unsafe in their bodies. Their emotions and their thinking feel out of control. They also feel unsafe in relation to other people" (Herman, 1997, p. 160). Stage One (safety) addresses the woman's safety concerns in all of these domains. In the second stage of recovery (remembrance and mourning) the survivor tells the story of the trauma and mourns the old self that the trauma destroyed. In Stage Three (reconnection) the survivor faces the task of creating a future; now she develops a new self.

Safety, the Stage One recovery from trauma, is the appropriate first level of intervention for a criminal justice setting. If we want to assist women in changing their lives, we must create a safe environment in which the healing process can begin to take place. We can help a woman feel safe in her external world by keeping facilities free of physical and sexual harassment and abuse. We can also help women feel safe internally by teaching them self-soothing mechanisms. Many chemically dependent trauma survivors use drugs to medicate their depression or anxiety because they know no better ways to comfort themselves.

It is also important to acknowledge that for some women and girls, their first experience of safety is in a correctional setting. Violence and abuse have been their experience at home and on the street. It is a harsh social reality when a female feels she is safer in a jail or prison.

For other women and girls, their experience in the criminal justice system is traumatizing and triggers memories of earlier instances of abuse. It can be retraumatizing when a sexual abuse survivor has a body search or must shower with male guards nearby. It can be retraumatizing when a battered woman is yelled or cursed at by a staff person. Survivors of trauma often experience symptoms of post-traumatic stress disorder (PTSD). *The Diagnostic and Statistical Manual of Mental Disorders*, (American Psychiatric Association, 1994, p. 427 – 429) lists these symptoms of PTSD:

- Re-experiencing the event through nightmares and flashbacks
- Avoidance of stimuli associated with the event (for example, if a woman was assaulted by a blond man, she may fear and want to avoid men with blond hair)
- Estrangement (the inability to be emotionally close to anyone)
- Numbing of general responsiveness (feeling nothing most of the time)
- Hypervigilance (constantly scanning one's environment for danger, whether physical or emotional)
- Exaggerated startle response (a tendency to jump at loud noises or unexpected touch)

Because PTSD can affect the way a woman or girl relates to staff, peers, and the environment of a correctional setting, it will be helpful to ask, "Is this person's behavior linked to PTSD?"

Women recovering from childhood molestation, rape, or battering are teaching us about the impact of such trauma on relational development. When early parental relationships are abusive, violating, and dangerous, all future relationships are impacted. The very high rate of substance abuse and addiction among survivors of abuse and violence suggests the likelihood of turning to substance abuse when healthy relationships are unavailable and when faith or trust in the possibility of growth in human connection is impaired. The use of alcohol and other drugs has become a way for women to deal with the emotional pain resulting from earlier abuse by someone close to them, someone they trusted (Covington & Surrey, 1997, p. 342).

Work with trauma victims has shown that social support is critical for recovery, and the lack of that support results in damaging psychological and social disruptions. Trauma always occurs within a social context, and social wounds require social healing (S. Bloom, 2000). The growing awareness of the long-term consequences of unresolved traumatic experience, combined with the disintegration or absence of communities for individuals in the criminal justice system (e.g., neighborhoods, extended families, occupational identities), has encouraged corrections researchers and practitioners to take a new look at the established practice and principles of the therapeutic milieu model.

The term "therapeutic milieu" refers to a carefully arranged environment designed to reverse the effects of exposure to interpersonal violence. The therapeutic culture contains the following five elements, all of them fundamental both in institutional settings and in the community (Haigh, 1999):

- *Attachment*: a culture of belonging
- *Containment*: a culture of safety
- *Communication*: a culture of openness
- *Involvement*: a culture of participation and citizenship
- *Agency*: a culture of empowerment (Haigh 1999)

Any teaching and/or rehabilitation process will be unsuccessful if its environment mimics the dysfunctional systems female prisoners have already experienced. Rather, program and treatment strategies should be designed to undo some of the prior damage. Therapeutic community norms are consciously designed to be different: safety with oneself and with others is paramount, and the entire environment is designed to create living and learning opportunities for everyone involved—staff and clients alike (S. Bloom, 2000). Finally, personal violence toward women must be understood in the larger societal context of systemic violence and oppression, including racism, classism, heterosexism, and ageism.

In summary, women begin to heal from addiction and trauma in a relational context. Recovery happens in connection, not in isolation. Nonmutual, nonempathic, disempowering, and unsafe settings make change and healing extremely difficult. The more we understand and apply relational theory, the more able we will be to help women who struggle with trauma and addiction.

## GENDER-RESPONSIVE CURRICULA

Effective, gender-responsive (woman- and girl-centered) models do exist for programs and agencies that provide for a continuity-of-care approach. The models described below are examples of interventions that can be used at various points within the criminal justice system and in community-based services, and respond to the needs of women and girls.

*Helping Women Recover: A Program for Treating Substance Abuse* is a unique, gender-responsive treatment model designed especially for women in correctional settings. It is currently in use in both institutional and community-based programs. The program materials provide treatment for women recovering from substance abuse and trauma by dealing with their specific issues in a safe and nurturing environment based on respect, mutuality, and compassion. This program addresses the issues of self-esteem, parenting, relationships, sexual concerns, and spirituality that have been identified by the Center for Substance Abuse Treatment (1994, 1999) in its guidelines for comprehensive treatment. *Helping Women Recover* integrates the theoretical perspectives of addiction, women's psychological development, and trauma in separate program modules of four sessions each (Covington, 1999, 2000). Using a female facilitator, the modules address the issues of self, relationships, sexuality, and spirituality through the use of guided discussions, workbook exercises, and interactive activities. According to recovering women, addressing these four areas is crucial to preventing relapse (Covington, 1994).

*Beyond Trauma: A Healing Journey for Women* is an integrated, theoretically based, gender-responsive treatment approach that consists of 11 sessions (Covington, 2003b). This program has been developed for use in residential, outpatient, and correctional settings in a group format (it can

be adapted for individual work). *Beyond Trauma* has a psychoeducational component that teaches women what trauma is, its process, and its impact on both the inner self (thoughts, feelings, beliefs, values) and the outer self (behavior and relationships, including parenting). The major emphasis is on coping skills with specific exercises for developing emotional wellness. The curriculum includes a facilitator guide, participant workbook, and videos. These items can be used alone or as a continuation of the trauma work in the *Helping Women Recover* curriculum (Covington, 1999).

*Voices: A Program of Self-Discovery and Empowerment for Girls* addresses the unique needs of adolescent girls and young women between 12 and 18. The program model uses a trauma-informed, strength-based approach that helps girls to identify and apply their power and voices as individuals and as a group. The focus is on issues that are important in the lives of adolescent girls, from modules about self and connecting with others to exploring healthy living and the journey ahead. Given the pervasive impact of abuse and substance use in many girls' lives, these themes are woven throughout the sessions. *Voices* encourages girls to seek and discover their "true selves" by giving them a safe space, encouragement, structure, and support to embrace their important journey of self-discovery. In addition, skill building in the areas of communication, refusal skills, anger management, stress management, and decision making is integrated across program topics. It can be used in many settings (e.g., outpatient and residential substance abuse treatment, schools, juvenile justice, and private practice) (Covington, 2004).

## CONCLUSION

Many women and men who work in criminal justice settings struggle with daily contradictions. One contradiction is that a system based on power and control is antithetical to what helps women and girls to change, grow, and heal. Hence, creating a new gender-responsive program or changing an existing program is a partial solution to meeting women's needs. Systemic change is essential. One of the primary goals of our criminal justice system must be to help women and girls reintegrate into society and lead productive lives. What can we do? We can intervene in the status quo on many different levels.

1. Try to change mandatory sentencing laws. Addicted women and girls need treatment, not prisons. Drugs are a public health problem, not a criminal justice problem. Treatment is both cheaper and more effective than prison at reducing recidivism (Gerstein et al., 1994; Finigan, 1996). CSAT (1999) writes, "Addicted women who are incarcerated because of our tightened drug laws will keep recycling through the criminal justice system unless they receive treatment. . . . Most women do not need to be incarcerated to protect the community. The treatment they need can be provided in the community, with their families intact and with the chance to become sober and drug-free under real-life conditions" (p. 2.).
2. Staff our jails, prisons, and community correctional facilities with more female wardens and correctional officers. Female staff can serve as role models and help to reduce the risk of retraumatization by providing women and girls with a sense of safety. Only women and men who can do the above have the right to work with females.

3. Give supplementary training to correctional officers. Training academies often teach information and skills that apply only to men's facilities. Officers in women's and girls' facilities need to understand the realities of women's and girls' lives and the value of mutually empathic relationships, not just the kinds of rules and structure that may be effective with men and boys. They need to understand how disconnection, addiction, and trauma affect women and girls.
4. Teach women to value life, especially their own. It is hard for women to do so in a misogynist society where women get messages that their lives are trivial. Provide appropriate services and use treatment models and materials developed for women and girls.
5. Help women keep contact with their children. Currently, women's facilities are often set at great distances from where women's children live, so that visitation is difficult. But it is often their connections with their children that keep women alive and motivate them to change. It is equally essential that children's need for connection with their mothers is supported and facilitated. Maintaining these relationships is one form of prevention for families in the criminal justice system.
6. Become aware of our own attitudes about women and girls. Commit to changing our personal social system away from a system of power and control, and toward a system of mutually empowering relationships. Work to create an environment for change and healing in our own lives.

Women and girls need a criminal justice system that takes into account their realities and their need for connection in their lives and their experience of damaging disconnection. They need a system in which relational theory provides the underlying philosophy, shapes the dynamics of staff and offender relationships, and affects the ways staff interact and make decisions. Women and girls need to experience an environment of growth-fostering relationships based on respect, mutuality, and empowerment.

As we move into the twenty-first century, it is time to move beyond the culture of punishment and retribution that characterizes our criminal justice system and create a culture of community and healing. It is time for transformation.

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# Sentencing in Domestic Violence Cases

## An Analysis of Policies and Practices in Washington State

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## Executive Summary

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The past four decades have seen dramatic transformation within the criminal justice system regarding its historically inadequate response to domestic violence. Reforms have included mandatory arrest laws; universal case filing policies; “no-drop” prosecution; specialized police, prosecution, and court units; and increased federal funding for victim services (Buzawa and Buzawa 1996; Davis et al. 2008; Guzik 2009; Keilitz 2001; Rebovich 1996). Courts now employ a range of sentences and sentencing conditions, including jail, probation, programs, and orders of protection. Prior research has examined the effects of these sentencing practices; yet, the search for a consistently effective approach remains elusive (Buzawa and Buzawa 2008; Peterson 2008).

In the State of Washington, a recent statewide analysis found that sentencing offenders to jail was associated with a significantly increased likelihood of re-arrest (either for domestic violence or any new charge), whereas sentencing to probation was associated with a significantly lower likelihood of re-arrest (George 2012). The study also found that ordering offenders to a state-certified batterer programs had no effect in either direction. George (2012) drew attention to several study limitations, however, underlining a need for further research regarding “what works” in sentencing. One possibility is that some sentences or sentencing conditions, including probation, batterer programs, or other types of programs, may have more positive effects in specific jurisdictions that employ a particularly promising or evidence-based approach. Tentative support for the view that the same sentencing conditions can have different effects depending on how they are designed and implemented comes from a recent meta-analysis of batterer program effects conducted by the Washington State Institute for Public Policy (WSIPP). The analysis found that batterer programs following the “psycho-educational” Duluth model did not reduce re-offending, whereas the average effects produced by several other program models, including straight cognitive-behavioral approaches, were modestly but significantly positive (Miller et al. 2013).

Given the equivocal nature of prior research, the Gender and Justice Commission at the Washington State Administrative Office of the Courts contracted with the Center for Court Innovation to examine sentencing policies and practices across the state and to analyze outcomes with a large sample of domestic violence offenders. The latter analysis was intentionally limited to select jurisdictions whose practices were believed to be of interest and whose findings, patterns, and lessons may have been obscured in the previous statewide study in Washington.

### Research Design

The current study was designed to examine sentencing practices in domestic violence cases and to craft concrete recommendations for Washington State policymakers. To achieve these goals, the following data collection methods were employed:

1. Statewide Survey: A policy survey was written and administered to all 127 Presiding Judges in Courts of Limited Jurisdiction (misdemeanor-level municipal and district courts), representing all 39 counties of the state. The response rate was 69% (87 of 127 judges responded, representing 27 of the 39 counties).

2. Official Records Data Collection: Official records data for nine of the courts that responded to the survey were analyzed. These courts were selected based on sample size and variability in sentences issued (based on survey responses). The nine courts were: Bellingham Municipal Court, Benton County District Court, Bremerton Municipal Court, Cowlitz County District Court, King County District Court, Marysville Municipal Court, Pierce County District Court, Spokane County District Court, and Spokane Municipal Court. The data included all cases heard in these courts from 2010 to 2012. Most analyses focused on sentencing and sentencing conditions in cases ending in a guilty plea or conviction (N = 10,646). From this nine-court sample, five courts that generally exhibited greater empirical variability in sentencing were selected for further analysis of the relationship between sentencing and re-arrest. The five courts selected were the Bremerton Municipal Court, Cowlitz County District Court, King County District Court, Pierce County District Court and Spokane County District Court (N = 4,739).
3. Site Visits: Site visits were conducted in three counties selected by the Gender and Justice Commission. In consultation with the research team, the Commission requested that researchers visit one court that hears domestic violence cases in a specialized domestic violence court (Spokane County District Court) and visit two courts that hear domestic violence cases in general court settings (the district courts in Benton and Cowlitz). Across all three sites, we conducted court observations and interviews with 55 stakeholders.

## Major Findings

### 1. *Statewide Survey of District and Municipal Courts*

- Presence of a Specialized Court: Thirteen percent of the 87 responding courts reported hearing domestic violence cases in a specialized domestic violence court.
- Use of Assessment Tools to Inform Sentencing: Across the state, 50% of responding courts indicated that domestic violence offenders were assessed. However, only 16% of courts reported receiving the results of an assessment, and only 11% reported specifically that the judge receives information about the offender's risk level prior to disposition. As reported, in most cases probation or community-based agencies conduct the assessment but do not necessarily share the results, indicating that information sharing was a challenge.
- Most Common Sentences: The sentences or sentencing conditions that are most often routinely imposed (percentages reflect percent of courts imposing them "always" or "very often") were: no firearms possession (83%); fines (80%); and a no contact order (70%).
- Use of Batterer Programs: Approximately half (57%) of responding courts indicated that they always or very often ordered offenders to a batterer program. Yet, most courts played a limited role in selecting the program. When a program was ordered, 46% of courts reported that the offender selects the program from a list of state-certified providers. An additional 43% of courts reported providing assistance, although the offender must still make the selection. When asked about the content and curriculum of batterer programs available to the court, 75% indicated that they were unsure of the program approach used.

- Use of Other Program Mandates: About one-third of responding courts reported always or very often ordering offenders to alcohol or drug treatment (30%), with a similar percentage reporting such use of victim impact panels (29%) and much lower percentages reporting anger management (17%), mental health treatment (5%) or parenting classes (2%).
- Judicial Monitoring: Survey answers from 69% of responding courts pointed to the use of judicial monitoring (post-disposition compliance reviews) at least “sometimes.” However, only 9% of responding courts reported at least “very often” ordering a first judicial monitoring appearance within 30 days of sentencing, and only 30% of courts reported the use of a separate compliance calendar. Hence, intensive, regular judicial monitoring is not currently widespread across the state.
- Response to Noncompliance: When asked how soon a case is calendared in response to noncompliance with a program mandate, only 1% of the courts reported bringing the offender back within a week, with an additional 38% bringing the offender back within one to two weeks. Once offenders return to court only 1% of courts reported that they have a written protocol guiding the use of sanctions. Regarding specific sanctions imposed in practice, 41% indicated that they always or often re-sentence the offender to jail. In varying percentages, courts also reported the use of a wide array of other sanctions, including program restart, more frequent monitoring, and amendment of probation conditions.
- Use of Jail and Probation: Fifty-two percent of respondents reported always or very often imposing an initial jail sentence of 90 days or less, and similar percentages reported the use of supervised probation (51%) and unsupervised probation (37%). In addition, as noted above, many courts re-sentence offenders to jail in response to noncompliance.
- Victim Safety and Services: Sixty-nine percent of the courts reported having any provisions made for victim safety and services in and around the courthouse. Of those courts that have provisions, the most commonly reported were a separation of victims and defendants (77%) and a separate waiting room for victims inside the courthouse (50%).

## 2. *Analysis of Sentencing Practices in Nine Courts from Across the State*

- Common Sentences: Across nine select courts, typical sentences included: fines (96%), a no contact order (61%), a jail sentence executed at sentencing (50%), and probation (48%).
- Use of No Contact Orders: Results showed that issuing final no contact orders (NCOs) varied across the nine sites, ranging from fewer than half of convicted cases in Cowlitz (30%) and Benton (43%) to more than four in five in Pierce (97%), Bremerton (96%), and King (85%). In the three courts where site visits were conducted (district courts in Spokane, Cowlitz, and Benton), stakeholders generally indicated that victim preference plays an influential role in whether a final NCO is ordered and whether, once ordered, it is recalled prior to the expiration date. A number of stakeholders expressed concerns related to possible insufficient use of NCOs and to how victims are involved (discussed below).

- Use of Program Mandates: The use of programs varied widely across the nine sites.
  - *Batterer Programs:* Across the nine sites, a batterer program was ordered in 17% of cases. Results showed significant use of batterer programs in Pierce (50%), King (42%), and Bremerton (38%). Other than in Benton (14%), the remaining courts all ordered batterer programs in less than 10% of cases.
  - *Substance Abuse Treatment:* Alcohol or drug treatment was ordered in 9% of cases across all nine sites—but a notable fraction in Pierce (33%), King (16%), Bremerton (16%), and Marysville (10%) as compared to 5% or less in the five remaining sites.
  - *Other Program Mandates:* Limited mental health treatment was issued, where Pierce represented the higher end (14%), when compared to other sites (4% or less). Similarly, use of victim-related sentences like victim impact panels were concentrated in King (32%) and Pierce (94%), compared to all other sites (2% or less). Anger management was only ordered in 4% of cases across the nine sites and was not common in any.
- Jail as a Response to Noncompliance: Across the nine sites, whereas 50% of cases were initially sentenced to jail, 21% were re-sentenced to jail—typically by executing a previously suspended jail sentence—in response to noncompliance with a program mandate or other requirements (e.g., such as probation noncompliance). The courts in Marysville (43%), Bremerton (36%), Spokane Municipal (36%), Spokane County (29%), and King County (24%) all make significant use of jail as a sanction for noncompliance.

### 3. *Relationship between Sentencing and Re-Arrest in Five Courts*

- The Relationship between Jail and Re-Arrest: In Pierce, the use of an initial jail sentence was associated with a significantly increased likelihood of re-arrest on both any charge *and* domestic violence. In Spokane County, however, the use of a jail sentence was associated with a significantly decreased likelihood of domestic violence re-arrest. In the three other sites, no relationship between a jail sentence and re-arrest was detected.
- The Relationship between Batterer Programs and Re-Arrest: In King County, a batterer program mandate was associated with a decreased likelihood of re-arrest on any charge *and* on a domestic violence charge. In Pierce, a batterer program was also associated with a decreased likelihood of re-arrest on any charge. In Bremerton, there was not a significant effect. Finally, due to low usage and hence insufficient variability, batterer program effects could not be examined among cases sentenced in Spokane or Cowlitz.
- The Relationship between Alcohol or Drug Treatment and Re-Arrest: In Bremerton, an order to alcohol or drug treatment was associated with a significantly decreased likelihood of re-arrest on any charge. In King, such treatment was associated with a decreased likelihood of domestic violence re-arrest. In general, in all three sites where this relationship was examined, although not all effects reached statistical significance, they all trended positive (towards reduced re-arrest on any charge or reduced DV re-arrest).

- Need for Further Investigation: Results indicate that details regarding the program model design and implementation of batterer programs as well as alcohol and drug treatment merit further exploration in the King, Pierce, and Bremerton sites to understand any promising practices used by specific community-based programs in these jurisdictions.

#### 4. *Additional Qualitative Information from Three Site Visits:*

- Limited Funding and Resources: Many stakeholders across the three sites visited described insufficient resources to address domestic violence cases and called for increased funding and staffing. In smaller and more rural areas of Benton and Cowlitz, many stakeholders in both courts cited an inability to fund and maintain a specialized domestic violence court.
- Responses to Noncompliance: Several stakeholders across all three sites expressed a preference for harsher and more consistent sanctions for those who violate court orders, do not attend mandated programs, or commit repeat offenses. Suggestions included increased re-sentences to jail, greater use of judicial monitoring, and use of multiple program mandates (e.g., batterer programs *and* other treatment for those with substance abuse or mental health problems, particularly when they are initially noncompliant with a single program mandate).
- Victim Safety Measures in the Court: Stakeholders broadly embraced victim safety as a primary goal across all sites. Resources were more limited in Benton and Cowlitz; however, Spokane County stakeholders reported the use of a number of model victim safety measures, including immediate linkages to DV advocates and services, safe waiting spaces for victims in the courthouse, and safe seating arrangements.
- No Contact Orders: As seen in the administrative data findings, the use of no contact orders was limited in the three courts visited (51% in Spokane, 43% in Benton, and 30% in Cowlitz). Many stakeholders across sites raised concerns regarding the use of no contact orders, including that: temporary and final orders are not issued enough of the time, especially in Benton and Cowlitz; final orders are frequently dropped prior to the expiration date (most often due to victim request) in all three sites; and the process of dropping no contact order places an excessive burden on the victims (e.g., where some courts require victims to attend a domestic violence education class before reviewing a victim's request).
- Use of Assessments: The use of assessments (e.g., batterer-related, substance abuse, and mental health) was limited at all sites visited. However, in partnership with local victim services, the Spokane County Sheriff's Office uses the validated Maryland Lethality Assessment Program (LAP) to evaluate lethal threats when responding to domestic violence situations at time of arrest. At intake, probation departments in Spokane County and Cowlitz used a brief risk assessment tool to inform levels of probation supervision. Although many Spokane County stakeholders lauded the use of the LAP, a few stakeholders across sites indicated that the courts did not consistently use results from both assessments to inform court decisions, indicating the need to improve use of existing tools.

- Use of Batterer Programs and Other Program Options:
  - *Courts' Limited Use of Batterer Programs:* According to stakeholders at all sites, batterer programs are utilized less in domestic violence cases than in the past. Several stakeholders cited that the drop was due to recent research that has been interpreted to show that these programs are ineffective. When programs *were* mandated at sentencing, court or probation staff at all sites provided a list of state-certified programs, but did not offer the offenders any assistance in program selection.
  - *Challenges of Batterer Programs:* Several stakeholders felt limited by the standard one-year program length mandated by the Washington Administrative Code. With one exception, most batterer programs did not offer different program options for first-time offenders versus repeat and severe offenders. Several stakeholders also believed that the typical one-year program was too long, that batterer programs should be tailored to defendants' risk and needs (e.g., those with any substance abuse issues should also receive a drug treatment mandate), and that costs for batterer programs were a barrier for most domestic violence offenders, as many were low-income.
  - *Limited Use of Other Program Options:* Many stakeholders across sites highlighted a need to make greater use of quality substance abuse treatment options. Several stakeholders also expressed a need for mental health treatment, but also cited the shortage of quality mental health resources in their respective areas that may contribute to limited usage (2% in Spokane County, 2% in Benton, and zero in Cowlitz).

## Recommendations

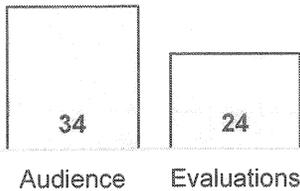
This study of domestic violence cases in Washington State found that a wide variety of sentences and sentencing conditions are used, as seen in results from the statewide survey, data analysis, and site visits. We provide eight concrete recommendations, based stakeholder feedback, researcher observations, as well as known evidence-based practices and lessons learned from court responses to domestic violence nationwide. Chapter 7 discusses each recommendation in greater detail, in most cases concretizing each recommendation with a more specific list of proposed action steps:

1. Implement validated assessment tools to inform judicial decisions and develop protocols for their use;
2. Strengthen the use of batterer programs and other treatment mandates, drawing on national evidence-based practice literatures as well as domestic violence-specific research;
3. Revise the process for no contact orders;
4. Consider increased use of judicial monitoring;
5. Strengthen court responses to noncompliance;
6. Review and establish victim-centered approaches in partnership with local victim services;
7. Establish statewide forums and required domestic violence trainings for all court stakeholders;
8. Improve data entry and reporting.



# Appellate Judges' Spring Program

March 22 - 25, 2015



## SESSION EVALUATION

<b>Session:</b>	<b>Developing a Multi-Perspective Jurisprudence</b>
<b>Faculty:</b>	<b>Dr. Dana Raigrodski</b>

Please include narrative comments, as well as numeric rating on a **5-point scale**.  
 (5 = Excellent; 4 = Good; 3 = Average; 2 = Below Average; 1 = Poor; N/A = Not Applicable)

<b>EFFECTIVENESS</b>	5	4	3	2	1	
1. The objectives of the course were clear.	13	4	4	0	0	<b>4.6</b>
2. The objectives of the course were achieved.	11	6	6	0	0	<b>4.4</b>
3. The faculty engaged me in meaningful activities.	7	8	8	0	0	<b>4.1</b>
4. I gained important information or skills.	9	7	7	0	0	<b>4.3</b>
5. The faculty made a clear connection between the course and the work place.	13	6	6	0	0	<b>4.6</b>
	<b>Average:</b>					<b>4.4</b>

**COMMENTS:**

- Interesting, important concepts, not much practical help.
- Cannot read PowerPoint with the white background.
- Excellent presentation and excellent presenter. Thank you.

<b>COMMUNICATION SKILLS</b>	5	4	3	2	1	
1. The faculty was well prepared.	14	4	2	0	0	<b>4.6</b>
2. The presentation was organized.	16	3	1	0	0	<b>4.8</b>
3. Written materials enhanced the presentation.	8	10	2	0	0	<b>4.2</b>
4. Audiovisual aids were used effectively.	6	6	5	2	0	<b>3.7</b>
5. The presentation kept my interest throughout.	11	6	2	0	0	<b>4.5</b>
	<b>Average:</b>					<b>4.4</b>

COMMENTS:

- Seemed more beneficial to trial attorneys and/or trial judges but helped me recognize what did/did not happen at trial.
- Interesting, conscious raising. Nice introduction for speaker (you could be clearly heard) thank you!
- PowerPoint and handout had print/font size unreadable though poorly.
- I think this was an excellent presentation even though many of the speakers were not fully developed or accessible. It is good for us to challenge the way we do our work.
- Great topic. Thanks for sharing these ideas.
- Great discussion. Slides are too small for us!
- We need more such programs.

**Testimonials from  
February 2015 Washington Program**

*This whole 1.5 day presentation was excellent, very valuable and thought provoking.*

*Relevant. Brought science & application to the courtroom. Great insight into why victims respond the way they do and science behind it.*

*Fantastic, powerful engaging throughout.*

*The words we choose and speak, matter.*

*Discussion about advocate notes/ records and the analysis was great.*

*The scenarios and hypotheticals were very helpful and provided very meaningful discussion.*

*Understand witness testimony and behavior on the witness stand, and reaction of witnesses.*

**ENHANCING COURTS' RESPONSE TO ADULT  
VICTIM SEXUAL VIOLENCE**

**OPEN TO JUDICIAL OFFICERS FROM WASHINGTON, OREGON, AND IDAHO**

**August 21-22, 2015**

**Courtyard by Marriott Walla Walla**

**Friday, August 21 - 8:00 a.m. to 4:30 p.m.**

**Saturday, August 22 - 8:00 a.m. to noon**

**This FREE workshop covers offender behavior, the neurobiology of trauma, vicarious trauma and self-care, how language impacts perceptions of sexual assault, intimate partner sexual assault, and jurisdictional and procedural practices in adult sexual assault cases. Local and national experts.**

**Register Now! Scholarships Available for Washington judicial officers**  
<https://www.surveymonkey.com/s/SATngAug2015>

**For More Information Contact:**

**Pam Dittman at [pam.dittman@courts.wa.gov](mailto:pam.dittman@courts.wa.gov) or (360) 704-4031**

**CJES—9.5 General Credits Approved**

Sponsored by: The Washington State Supreme Court Gender & Justice Commission through Grant No. 2013-FL-AX-0008 awarded by the U.S. Department of Justice, Office on Violence Against Women. (OVW)



Concept of Tribal State Court Consortium Website to be housed on [www.courts.wa.gov](http://www.courts.wa.gov)  
 Mock-up of menus and some areas populated.  
 As of May 1, 2015.



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[2015 State of the Judiciary \(pages 9-10\)](#)

[Governor's Office on Indian Affairs](#)

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[A How To Guide](#)

[Tribal Courts Resource Guide](#)

[Meaningful and Ongoing Engagement of Tribes and State Courts in Child Protection, a Project of the National Center for State Courts](#)

[Indian County - Today Media Network](#)

[National Tribal Law and Policy Institute](#)