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Spring 4-14-2021

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#### Recommended Citation

Stansberry, Sara Beth, "A Policy Analysis on the Effectiveness of Domestic Violence Courts" (2021). *Spring Showcase for Research and Creative Inquiry*. 141.  
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# A Policy Analysis on the Effectiveness of Domestic Violence Courts

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## Abstract

The objective of this research is to examine the effectiveness of Domestic Violence Courts in increasing offender accountability and recidivism, providing victim and offender services and safety, altering the view of domestic violence in the eyes of both the Criminal Justice System and citizens, and improving court processes and procedures. A systematic review of studies conducted to assess the impact of this policy on stated outcomes indicates that Domestic Violence Courts effectively reduce the negative effects that traditionally coincide with domestic violence cases. In addition, this policy has altered how victims are more confident in coming forward about their incident knowing that the court system will positively assist them throughout the process.

## Introduction

- On average, twenty individuals per minute fall victim to domestic violence and only half of these victims report the incident to the police. Victims often decide not to report an incident or end up recanting because of these reasons: (but not limited to) they are intimidated by the court process, fear that it will bring shame to them and/or their family, are under the impression their credibility is tampered, or suspect their perpetrator will retaliate.
- A traditional court system treats domestic violence cases as low priority because they have been viewed as a private matter, victims are aware of this notion and are further deterred to go through with reporting/ trusting in the court system.
- Domestic violence courts provide one central location for the victim to go to throughout their process; this entails the benefits of working with one judge, one victim advocate, and the same court staff. By specializing in domestic violence offenses, Domestic Violence Courts aim to process cases more efficiently while also delivering consistent rulings about domestic violence statutes. They strive to eliminate the possibility of offenders reoffending by incorporating a strong focus on rehabilitation and deterrence.

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## Studies Demonstrating Effectiveness

- Mandatory arrest policies of domestic violence offenders and an emphasis on offender accountability and recidivism. (Belknap and Potter, 2005)
- Safe environment for offenders, victims, and their families. Domestic Violence Courts improving overall safety and providing services. (Burton, 2018)
- Expedited case processing and improved court procedures, the implementation of the therapeutic jurisprudence model. (Shaffer, 2003)
- The positive effects the presence of Domestic Violence Courts have on society (including the Criminal Justice System) as communities adopt and familiarize themselves with the Domestic Violence Courts approach. (Hovda, 2011)

## Studies Demonstrating Ineffectiveness

- A discrepancy in the Judicial and Prosecutorial process; a presence of inconsistencies in decision making and ruling within multiple Domestic Violence Courts. (Pinchevsky, 2017)
- A lack of a clear and concise structure that is consistently practiced so all victims and offenders receive the same treatment and/or results despite the Domestic Violence Court they go to. (Labriola and Bradley, 2016)



## Summative Analysis

- Research has found Domestic Violence Courts far more effective than ineffective:
  - Significant increase of victims coming forward and/or staying committed to the court process, therefore more offenders are being held accountable.
  - Sufficient changes to the court process domestic violence cases undergo
  - Alteration on how society views and advocates for domestic violence
  - Insufficient consistency of court practices across the nation, causing varying experiences with the Domestic Violence Court Model

## Conclusions

- Domestic Violence Courts started by educating all personnel on the severity and wrongfulness of domestic violence.
- This started a domino effect on how the Criminal Justice System and general citizens view domestic violence which further validated the importance of the policy.
- The policy is overall effective in providing victims with a resources (in and out of the court room) that will successfully assist them to seek justice and offenders to be held accountable in the full extent of the law.

## References

Belknap, J., & Potter, H. (2005). The trials of measuring the success of domestic violence policies. *Criminology & Pub. Pol'y*, 4, 559

Burton, M. (2018). Specialist domestic violence courts for child arrangement cases: safer courtrooms and safer outcomes? *Journal of Social Welfare & Family Law*, 40(4), 533-547. <https://doi.org/10.1080/09649069.2018.1519657>

Hovda, J. (2011). The efficacy of Idaho's Domestic Violence Courts: an opportunity for the court system to effect social change. *Idaho L. Rev.*, 48, i.

Shaffer, C. (2003). Therapeutic domestic violence courts: An efficient approach to adjudication. *Seattle UL Rev.*, 27, 981.

Pinchevsky, G. M. (2017). Understanding decision-making in specialized domestic violence courts: can contemporary theoretical frameworks help guide these decisions? *Violence against women*, 23(6), 749-771.

Labriola, M., Bradley, S., O'Sullivan, C., Rempel, M., & Moore, S. (2016). A National Portrait of Domestic Violence Courts (2009).