How Being Trauma-Informed Improves Judicial Decision-Making

SAMHSA’S GAINS Center for Behavioral Health and Justice Transformation
Why Learn About Trauma?
Benefits

How we think about something affects how we respond
<table>
<thead>
<tr>
<th>Trauma</th>
<th>Total # (Rate)</th>
<th>NE</th>
<th>S</th>
<th>MW</th>
<th>W</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homicides in 2007¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total # (Rate)</td>
<td>2,397 (4.4)</td>
<td>8,661 (7.8)</td>
<td>3,620 (5.5)</td>
<td>4,095 (5.9)</td>
<td></td>
</tr>
<tr>
<td>Under age 18 (Rate)</td>
<td>355 (2.7)</td>
<td>1,082 (3.7)</td>
<td>587 (3.4)</td>
<td>632 (3.4)</td>
<td></td>
</tr>
<tr>
<td>Residential Fire Deaths in 2007¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total # (Rate)</td>
<td>462 (.9)</td>
<td>1,358 (1.2)</td>
<td>688 (1.0)</td>
<td>394 (0.6)</td>
<td></td>
</tr>
<tr>
<td>Under age 18 (Rate)</td>
<td>91 (0.7)</td>
<td>204 (0.7)</td>
<td>133 (0.8)</td>
<td>58 (0.3)</td>
<td></td>
</tr>
<tr>
<td>Drowning Deaths in 2007¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total # (Rate)</td>
<td>536 (1.0)</td>
<td>1,774 (1.6)</td>
<td>771 (1.2)</td>
<td>1,005 (1.4)</td>
<td></td>
</tr>
<tr>
<td>Under age 18 (Rate)</td>
<td>112 (0.8)</td>
<td>514 (1.8)</td>
<td>177 (1.0)</td>
<td>230 (1.2)</td>
<td></td>
</tr>
<tr>
<td>Suicide Deaths in 2007¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total # (Rate)</td>
<td>4,754 (8.7)</td>
<td>13,389 (12.1)</td>
<td>7,515 (11.3)</td>
<td>8,940 (12.9)</td>
<td></td>
</tr>
<tr>
<td>Under age 18 (Rate)</td>
<td>151 (1.1)</td>
<td>427 (1.5)</td>
<td>341 (2.0)</td>
<td>312 (1.7)</td>
<td></td>
</tr>
<tr>
<td>Transport-Related Deaths in 2007¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total # (Rate)</td>
<td>5,378 (10)</td>
<td>21,679 (20)</td>
<td>9,313 (14.0)</td>
<td>9,880 (14.0)</td>
<td></td>
</tr>
<tr>
<td>Under age 18 (Rate)</td>
<td>616 (5.0)</td>
<td>2,569 (9.0)</td>
<td>1,218 (7.0)</td>
<td>1,201 (6.0)</td>
<td></td>
</tr>
<tr>
<td>Incarceration Rates for 2010²</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Males</td>
<td>577</td>
<td>1,039</td>
<td>735</td>
<td>772</td>
<td></td>
</tr>
<tr>
<td>Females</td>
<td>27</td>
<td>78</td>
<td>53</td>
<td>60</td>
<td></td>
</tr>
</tbody>
</table>

1. Centers for Disease Control ([www.cdc.gov](http://www.cdc.gov))
Jail Diversion Study

**Women**
- 96% lifetime
- 74% current
  (12 mos.)

**Men**
- 89% lifetime
- 86% current
  (12 mos.)
# Mental Health Court Study

<table>
<thead>
<tr>
<th>Abuse (self report)</th>
<th>% Women</th>
<th>% Men</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sexual abuse or rape (prior to age 20)</td>
<td>70</td>
<td>25</td>
</tr>
<tr>
<td>Parents hit or threw things at one another</td>
<td>46</td>
<td>27</td>
</tr>
<tr>
<td>Parents beat them with belt whip or strap</td>
<td>61</td>
<td>68</td>
</tr>
<tr>
<td>Parents hit them with something hard</td>
<td>43</td>
<td>36</td>
</tr>
<tr>
<td>Parents beat or really hurt them with their hands</td>
<td>42</td>
<td>36</td>
</tr>
<tr>
<td>Parents injured them enough to need medical attention</td>
<td>22</td>
<td>8</td>
</tr>
</tbody>
</table>

- **Women:** 67% child physical abuse
  - 34% current (12 mos.)
- **Men:** 73% child physical abuse
  - 32% current (12 mos.)
<table>
<thead>
<tr>
<th>ACE Scale Item</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Abuse</strong></td>
<td></td>
</tr>
<tr>
<td>Physical abuse</td>
<td>15</td>
</tr>
<tr>
<td>Emotional abuse</td>
<td>18</td>
</tr>
<tr>
<td>Sexual abuse</td>
<td>7</td>
</tr>
<tr>
<td><strong>Household instability</strong></td>
<td></td>
</tr>
<tr>
<td>Household mental illness</td>
<td>28</td>
</tr>
<tr>
<td>Household substance abuse</td>
<td>17</td>
</tr>
<tr>
<td>Parental separation or divorce</td>
<td>41</td>
</tr>
<tr>
<td>Parent lost job</td>
<td>20</td>
</tr>
<tr>
<td><strong>Other</strong></td>
<td></td>
</tr>
<tr>
<td>Peer victimization (non-sibling)</td>
<td>48</td>
</tr>
<tr>
<td>Exposure to community violence</td>
<td>63</td>
</tr>
<tr>
<td>Someone close died from illness/accident</td>
<td>49</td>
</tr>
<tr>
<td>Disaster</td>
<td>11</td>
</tr>
</tbody>
</table>
The past is never dead. It’s not even past.  
William Faulkner
Understanding the Population
Why We Learn About Trauma

- Develop understanding
- Increase awareness
- Recognize signs
- Learn how to respond

GOAL: Trauma-Informed Responses

- Increase safety
- Reduce recidivism
- Promote recovery
What Is Trauma?
Activity

Traumatic Events
Learning check

Traumatic Events

- Physical Abuse
- Loss
- Combat or Victim of War
- Community Trauma
- Sexual Abuse
- Witness Violence or Other Traumatic Event
- Historical Trauma
VIDEO
ACTIVITY
Officer Tully
Resilience

- Family ties
- Strong primary relationship
- Employment
- Strong cultural or religious beliefs
- Connection to community
- Biology
- Meaningful activity
Risk

- Pre-existing mental health problems
- Numerous traumas
- Health issues
- Biology
- Severity of trauma
- Proximity to trauma
- Experiences that diminish coping capacity
Individualized Experiences

- Strong primary relationship
- Family ties
- Health issues
- Pre-existing mental health problems
- Connection to community
- Severity of trauma
- Employment
- Proximity to trauma
- Biology
- Biology
- Meaningful activity
- Numerous traumas
- Strong cultural or religious beliefs
- Experiences that diminish coping capacity
Traumatic Events
Experienced as:
Threatening
Terrifying
Overwhelming
Pervasive Effect
Shapes World View:

Self
Beliefs
Relationships
Trauma Is...

- Event, experience, effect
- Sudden event/ongoing abuse, past/present
- Event is terrifying, threatening, overwhelming
- Impact is pervasive
- Shapes world view
- Individualized Experiences

Many people cope or heal – others get stuck
Gender Differences
Women Report:
Child sexual abuse
Child abuse/neglect
Adult sexual assault
Men Report:
- Physical assault
- Combat
- Accidents
- Weapons
- Witness violence

EXPERIENCES
Women Report:
Force & threats
By close family member
Multiple victimizations

Childhood Sexual Abuse
Men Report:
Promises & rewards
By strangers & authority figures

Childhood Sexual Abuse
Women Report:
- Extreme fear
- Self-blame
- Negative self view
- World as dangerous
- Betrayal

Trauma Attributions
Men Report:

- Can’t be victims
- Fear of stigma
- “Suck it up”
- Anger
- Desire for revenge

Trauma Attributions
VIDEO

The Cycle of Violence
VIDEO

The Cycle of Violence
Learning check

Kinds of experiences

- Beatings
- Torture
- Verbal abuse
- Watching parents fight
- Watching siblings or parent get hit
Learning check

Impact of violence

- Beatings were seen as normal; admired
- I became like him/her...I was abusive
- Violence is a cycle that gets repeated in each generation
- Becoming violent is how I survived
- I saw aggression as strength
- Being a tough guy keeps others at a distance...so you can’t hurt me
- Fighting gets respect
Gender Differences

Both women and men experience similar events, but differ in:

- Events reported
- Thinking
- Coping
- Impact
- Culture
Trauma’s Effects
Effects experienced throughout life
BEHAVIOR = SURVIVAL
Long-term Effect

Substance Abuse  Behavioral Problems

Fear  Powerlessness  Anger  Pain

Poor Relationships  Mental Health
Long-term Effect

Behavioral Problems
Long-term Effect

Poor Relationships
Mental Health
Learning check

Signs...

- Missed/late to work
- Back to wall
- Distracted; concentration poor
- “Spacing out”
- Easily startled
- Doesn’t like people close
- Doesn’t like to be touched
- Hyper-vigilance
- Behavioral problems
- Mood fluctuations
- Aggressive/angry
- Suicidal gestures
Trauma’s Effects

- Affects broad aspects of life

- Behavior can =
  - Coping
  - Attempts to survive
Trauma-Informed Responses
People need...
AVOID

Overreacting

Inappropriate use of authority
Long-term Effect

Substance Abuse  Behavioral Problems

Fear
Powerlessness
Anger
Pain

Poor Relationships  Mental Health

How do we respond?
Learning check

Responding to Behavior

- Flexible with consequences
- Sensitive to fear
- Patience
- Don’t take it personally
- Support/motivate/link to treatment

Universal Assumption of Trauma
Learning check

Courts

- Handcuffs
- Holding cells
- Escort defendant
- Judge on bench/separated (authority)
- Public trials
- Conditions determined
- Orders
Becoming a Trauma-Informed Court

**Step 1**
Develop an awareness of:
- What trauma is
- The extent of trauma in the criminal justice system
- The impact of trauma

**Step 2**
Review policies & procedures of your courtroom to:
- Screen/assess for trauma
- Reduce the impact of trauma
- Avoid re-traumatizing

**Step 3**
Know what trauma-specific services are in your community & how to access them

**Step 4**
Implement trauma-informed procedures to facilitate safety, recovery, and success
For More Information

SAMHSA'S GAINS Center for Behavioral Health and Justice Transformation

http://gainscenter.samhsa.gov

GAINS@prainc.com
Closing

Please complete the evaluation form at the end of the program