



Laying the Foundation:

Strengthening Court Practices

Under The Violence Against Women Act

March 4-5, 2026

Seven Feather Casino & Resort,
Canyonville, Oregon



Coming Up | UNIT 6

Trauma Informed Practice By Courtroom Role

Hon. Ron Whitener

Chief Judge for the Tulalip Tribes (retired), Co-Owner of The Whitener Group



Laying the Foundation:

Strengthening Court Practices

Under The Violence Against Women Act

March 4-5, 2026

Seven Feather Casino & Resort,
Canyonville, Oregon





UNIT 6

Trauma Informed Practice By Courtroom Role

Hon. Ron Whitener

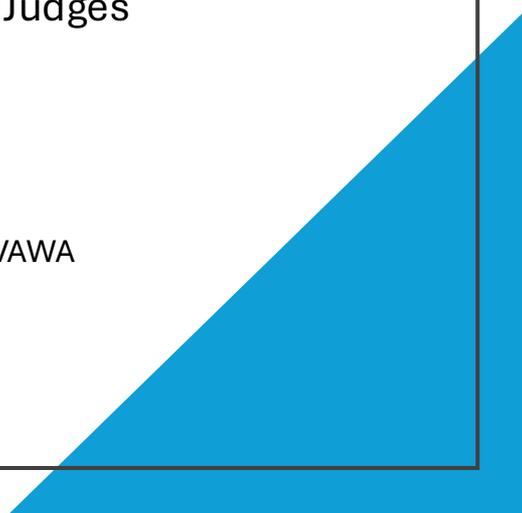
Chief Judge for the Tulalip Tribes (retired), Co-Owner of The Whitener Group

Trauma-Informed Practice by Courtroom Role

Strategies for Prosecutors, Defenders, GALs, and Judges

Ron Whitener, J.D.

Laying the Foundation: Strengthening Court Practices Under VAWA
Cow Creek Band of Umpqua Tribe of Indians
March 2026



Session Objectives

- Understand how trauma affects court-involved individuals and their engagement with court orders
- Explore trauma-informed practices specific to each courtroom role
- Apply practical strategies to reduce re-traumatization
- Enhance outcomes through coordinated trauma-informed approaches



Trauma in Justice-Involved Populations

- Justice-involved youth experience ACEs at significantly higher rates than general population
- Higher ACE scores associated with greater risk of juvenile justice contact
- Over 18,000 child victims of family violence in 2022 (38% increase since 2014)
- Trauma affects behavior, memory, decision-making, and court engagement

What Are ACEs?

10 types of childhood trauma measured before age 18. Each "yes" = 1 point.



Abuse

- Physical
- Emotional
- Sexual

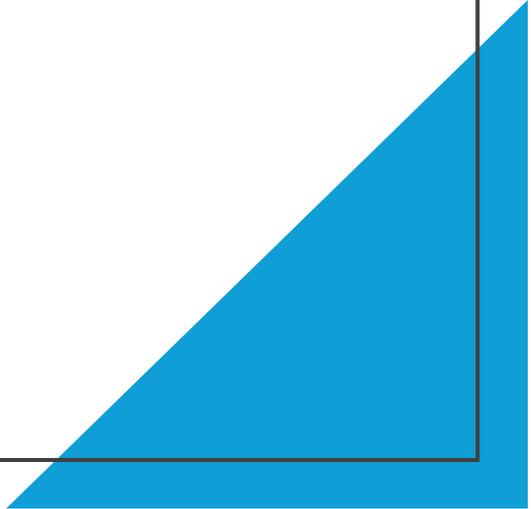


Neglect

- Physical
- Emotional

Household Dysfunction

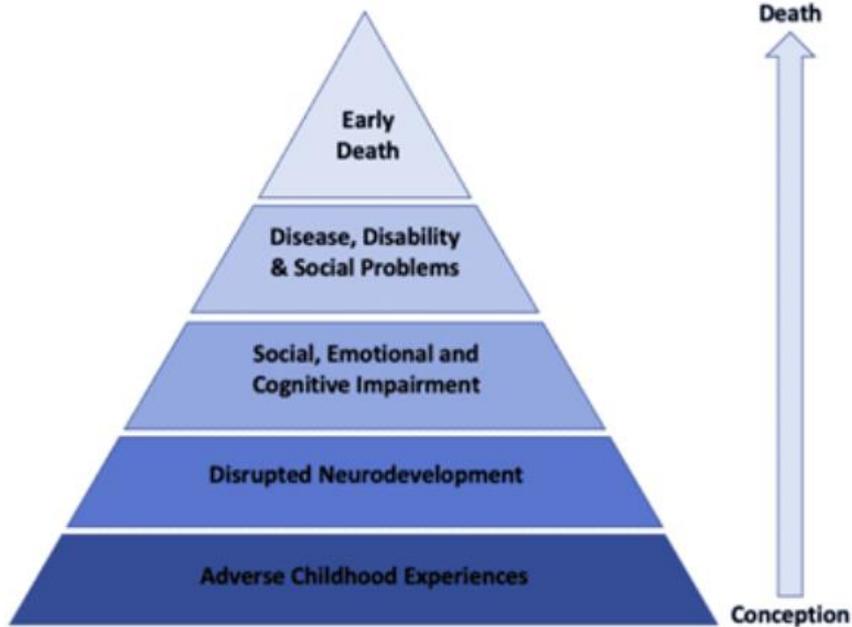
- Domestic violence
- Substance abuse
- Mental illness
- Incarceration
- Parental separation



Understanding ACE Scores

- 2 out of 3 children experience 1 or more ACEs before age 16
- 87% of those with ACE score of 1 have more than one ACE
- higher ACE scores = higher risk of health, social, and justice system involvement
- ACEs disrupt brain development, leading to coping through risky behaviors

The ACE Pyramid: Lifelong Impact



SAMHSA's Four Rs Framework

Realize

- Widespread impact of trauma and pathways for recovery

Recognize

- Signs and symptoms of trauma in court participants

Respond

- Integrate trauma knowledge into practice

Resist

- Actively prevent re-traumatization

The Fundamental Mindset Shift

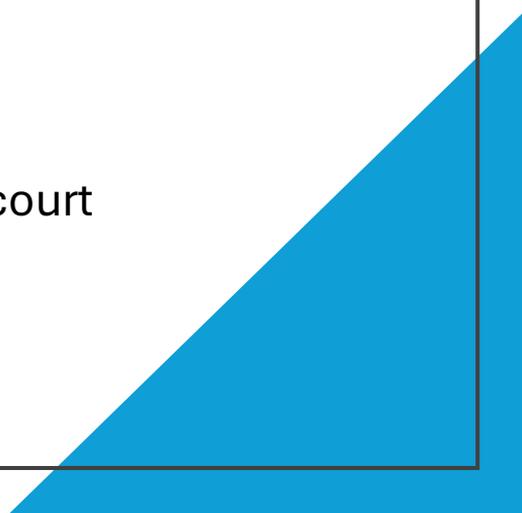
*“What’s wrong with you
(blaming)”*

To

*“What happened to you?”
(understanding)”*



Evidence: Trauma-Informed Courts Work Better

- Reduced recidivism among youth in detention centers
 - Decreased PTSD symptoms in our incarcerated populations
 - Improve mental health and well-being outcomes
 - Better treatment engagement and compliance with court orders
- 

Prosecutors and Gov't ICW: Trauma-Informed Practices

- Recognize trauma effects on victim and witnesses
 - Memory fragmentation and inconsistent statements
 - Avoidance behavior and reluctance to participate
 - Hyperarousal and emotional dysregulation in court
- Trauma-informed interviewing and preparation
 - Sequential questioning rather than confrontation cross-examination style
 - Allow breaks and build rapport
 - Explain the process to reduce anxiety

Prosecutors and Gov't ICW: Trauma-Informed Practices

- Case Management Strategies
 - Balance accountability with treatment focused dispositions
 - Refer victims to advocacy agencies and support services
 - Understand that trauma may explain (but not excuse) behavior
- Courtroom Conduct
 - Use calm, respectful tones even when presenting serious charges
 - Avoid re-traumatization through sensitive presentation of evidence
 - Coordinate with victim advocates for real-time support

Defense Attorneys: Trauma-Informed Practices

- Recognize signs of trauma in your clients
 - Difficulty focusing, emotional volatility, distrust, avoidance
 - Understand how trauma may have contributed to the conduct leading to court involvement
- Build trust
 - Consistent communication and follow-through
 - Explain each step clearly, no surprises
 - Meet in less-intimidating settings when possible

Defense Attorneys: Trauma-Informed Practices

- Present trauma evidence in mitigation without minimizing harm
 - Obtain trauma assessments
 - Frame client's history in context of trauma without minimizing harm
 - Advocate for trauma-specific treatment as part of disposition
- Self-care and vicarious trauma
 - Recognize secondary trauma in yourself
 - Establish boundaries and seek peer support

GALs & Child Attorneys: Trauma-Informed Practices

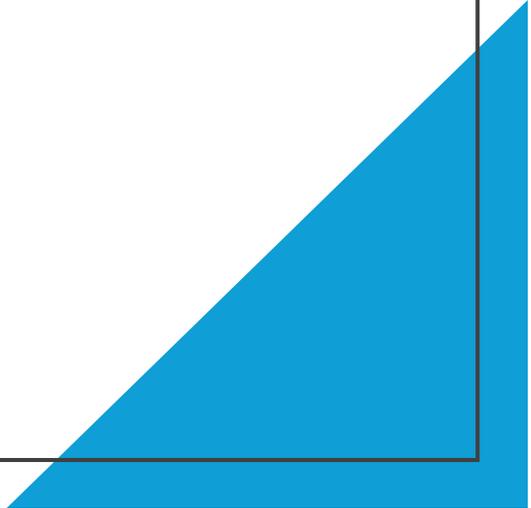
- Understand childhood trauma and ACEs
 - How trauma affects attachment, development, and behavior
 - Recognizing that trauma may inhibit a child's ability to trust
- Trauma-informed interviewing
 - Starting with “what happened to you?” instead of “what did you do?”
 - Use age-appropriate, non-leading questions
 - Create safe, predictable interview environments
 - Understand when silence or inconsistency reflects trauma, not deception

GALs & Child Attorneys: Trauma-Informed Practices

- Make trauma-informed recommendations
 - Prioritize placement and services that are trauma responsive
 - Advocate for therapeutic interventions, not just punitive measures
 - Ensure continuity and stability for the child

Judges: Trauma-Informed practices

- Judicial Demeanor and Communication
 - Use conversational rather than interrogation approaches
 - Ask questions aimed at understanding, not blaming
 - Active listening: “Tell me more about what you’ve been through”



Judges:

Trauma-Informed practices

- Courtroom Environment
 - Use plain language and explain processes
 - Give advanced notice of what will happen next
 - Allow breaks when parties appear overwhelmed
 - Create culturally responsive courtroom spaces
- Balance accountability and treatment
 - Recognize tension between consequences and healing
 - Prioritize access to trauma treatment as part of case planning
 - Use graduated sanctions and incentives thoughtfully

Implementation Strategies

- Cross-train all courtroom roles
 - Develop shared understanding and language around trauma
 - Regular case staffing with trauma lens
 - Training that includes trauma survivor's voices
 - Role-specific skill development and peer consultation
 - Build referral networks with trauma-informed treatment providers
 - Develop easy and warm handoff to advocacy and support
 - Provide culturally-specific services for tribal communities
- 

Trauma Informed Treatment Options

Criminal, Juvenile Delinquency, Child Dependency

Adults in Criminal Cases

- Trauma-Focused Cognitive Behavioral Therapy
 - Structured CBT targeting PTSD symptoms, trauma memories, and related depression/anxiety
- Cognitive Processing Therapy
 - Manualized, evidence-based PTST treatment that challenges unhelpful trauma-related beliefs
- Eye Movement Desensitization and Reprocessing
 - Uses bilateral stimulation plus trauma memory processing for PTSD and complex trauma

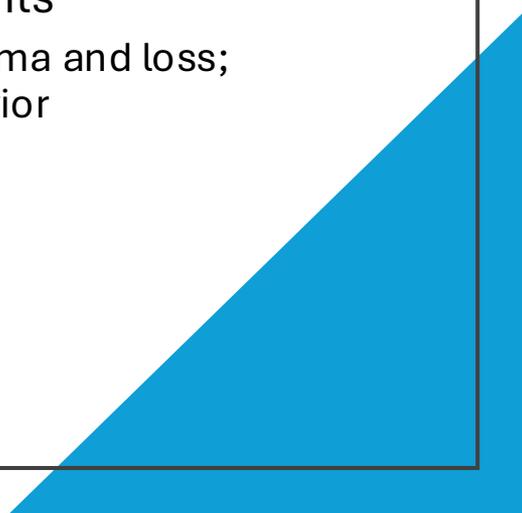
Adults in Criminal Cases

- Seeking Safety
 - Present-focused, manualized treatment for co-occurring PTSD and substance use, used often in corrections and community programs
- Trauma Recovery and Empowerment Model
 - Group intervention (originally for women and adapted for men) addressing trauma, PTSD, depression, substance use
- Trauma, Addiction, Mental Health, and Recovery (TAMAR)
 - 10-week, manualized psychoeducational and expressive-therapy group used for people with significant trauma histories

Adults in Criminal Cases

- Trauma Affect Regulation: Guide for Education and Therapy (TARGET)
 - Skills-based program teaching emotion regulation and coping with trauma triggers; adapted for justice-involved adults and youth
- Sanctuary Model
 - Organizational model that transforms facilities (jails, prisons, residential programs) into trauma-responsive environment that support treatment

Youth in Delinquency / Status Offense Cases

- Trauma-Focused Cognitive Behavioral Therapy
 - “Gold standard”, family-based treatment for ages 3-17; reduces PTSD, depression, behavioral issues, and can involve caregivers
 - Trauma and Grief Components Therapy for Adolescents
 - Group or individual treatment for youth exposed to trauma and loss; Reduces PTSD, grief, depression, and delinquent behavior
 - TARGET
 - Sanctuary Model (for juvenile facilities)
- 

Children and Parents in Child Dependency

- Parent-Child Interaction Therapy
 - Life coached sessions that improve attachment, parent responsiveness, and child behavior for young children with trauma histories
- Child - Parent Psychotherapy
 - For young children and caregivers exposed to trauma or domestic violence; Focuses on attachment, safety, and co-regulation

Trauma-Informed Courts Require All Actors Working Together

Small changes in each role create systemic transformation period when prosecutors, defenders, GAL's, and judges coordinate trauma informed practices, outcomes improve for survivors, children, families, and communities

Resources

- Werner, E. M. (2021). Avoiding the second assault: A guidebook for trauma-informed prosecutors. *Lewis & Clark Law Review*, 25(2), 573–605
- Garcia, A., DeClerck, T., Moe, A., Blanco, S., Otis, K., & Pugh, D. (2025). *Trauma-informed practices for criminal courts: A blueprint for implementation*. Center for Justice Innovation
- Stefka, K. L. (2019, July 16). Trauma-informed care and the role of guardian ad litem. *InsideTrack*, 11(12). State Bar of Wisconsin.
- V. A., Summers, A., & Miller, M. K. (2018). Trauma-informed: Dependency court personnel's understanding of trauma and perceptions of court policies, practices, and environment. *Journal of Child & Adolescent Trauma*, 11, 495–505.
- McKinsey, E., Zottola, S. A., Mitchell, A., Heinen, M., & Ellmaker, L. (2022). Trauma-informed judicial practice: From the judges' perspective. *Judicature*, 106(2), 34–47
- Cerasoli, G., DiLeo, M., Schulman, S. R., Sirvent, M., & Ware, A. (2025). Trauma-responsive court systems: An approach for attorneys ad litem. *The Florida Bar Journal*, 99(3), 50.

Activity:

Vignettes for Each Role

Each table pick one or more vignettes targeted at one of each role. Review it and discuss the questions provided.

NOTE: These vignettes discuss trauma, including childhood abuse, domestic violence, and their impact on court involvement. Please feel free to step out, take breaks, or do what you need to do to take care of yourself.



Laying the Foundation:

Strengthening Court Practices

Under The Violence Against Women Act

March 4-5, 2026

Seven Feather Casino & Resort,
Canyonville, Oregon





Closing Words

Carla Keene

Chairwoman, Cow Creek Tribe of
Umpqua Tribe of Indians



Laying the Foundation:

Strengthening Court Practices

Under The Violence Against Women Act

March 4-5, 2026

Seven Feather Casino & Resort,
Canyonville, Oregon





Thanks for Joining Us!

Please take our Day 1 Day 2 surveys!

Scan for the
Day 1
Survey



Scan For The
Day 2 Survey





Laying the Foundation:

Strengthening Court Practices

Under The Violence Against Women Act

March 4-5, 2026

Seven Feather Casino & Resort,
Canyonville, Oregon