

Creating a Trauma-Informed Court Environment

Many people who come in contact with the justice system, whether as a court employee, attorney, witness or defendant, have experienced trauma or profound grief and loss. Trauma is much more common than people think. Although trauma is traditionally associated with military personnel, trauma incidents can occur throughout everyday life. 70% of U.S. adults have experienced at least one traumatic event with at least 20% of these adults with a post-traumatic stress diagnosis. In addition, 64% of people experienced at least one adverse childhood experience. Considering that these statistics are acquired from participants who are relied upon to self-report, the percentages could be quite higher. Unfortunately, PTSD is one of the most common anxiety-related disorders and yet one of the most untreated.

Adverse childhood experiences (ACEs) are potentially traumatic events that can have negative, lasting effects on health and well-being. These experiences range from physical, emotional, or sexual abuse to parental divorce or the incarceration of a parent or guardian. ACEs are an important part of possible future adult trauma because children who experience ACEs become susceptible to a heightened trauma response when stressful events occur later. When traumatized children reach adulthood, they can often experience significant difficulties with much of their emotional energy being needed to manage traumatic symptoms of anxiety, depression, flashbacks, sleep disturbance, and/or intrusive thoughts. Efforts to manage these symptoms can sometimes lead to alcohol or drug dependence, eating disorders or other self-destructive behaviors, or to behaviors that are harmful to others. Not all adults with ACEs will have these challenges but many do.

All work environments have the potential to create stressful situations for others that can trigger intensive feelings associated with trauma and/or profound grief or loss. When these triggers occur and the trauma spiral is present, things can almost immediately feel out of control, scary and intense for everyone. When it is a co-worker or colleague, these types of difficult experiences can affect a person's physical health, mental health, and ability to be productive at work. For customers or clients, the presence of intense emotions can disrupt business, inadvertently cause distress in others, and lead to feelings of threatened safety.

It is important to know a bit about how trauma works. Trauma resides in the nervous system. People often believe that if they do not think about past traumatic events anymore that these events will not adversely affect them later. Unfortunately, no one can "think" their way out of trauma. Even when we are not consciously thinking about our past or present distressing situations, our nervous system is constantly on alert for the slightest sign of something that does not feel safe, something that reminds us of what happened before. The nervous system stays quietly on guard, waiting to respond with freeze, fight or flight when threat is detected (no matter how small or big the perceived threat is). Once the

nervous system lights up, the trauma spiral can begin. (If you would like to read more about how trauma lives in the body and how to use this to heal from trauma, two of the very best books on the subject are “In an Unspoken Voice”, By: Peter Levine and “The Body Keeps the Score: Brain, Mind, and Body in the Healing of Trauma”, By: Bessel van der Kolk.)

This brings us to the court system. Courts are inherently negative environments. For the most part, people who are coming to court are not coming for good reasons. Defendants, witnesses, victims, attorneys, law enforcement officers are generally not coming to court because they want to. As a result, court environments are inherently stressful – which provides fertile ground for people who struggle with trauma, profound grief or loss, and numerous other mental health challenges to experience intense emotional responses. All workplaces should be trauma-informed, and courts are no exception.

Trauma-informed care is an approach used to engage with people with histories of trauma. It recognizes the presence of trauma symptoms and acknowledges the role that trauma can play in people’s lives. Trauma-informed responses in the criminal justice system can help to avoid re-traumatizing individuals. This increases safety for all, decreases the chance of an individual returning to criminal behavior, and supports the recovery of justice-involved individuals with serious mental illness.

Key points to creating a trauma-informed court include:

- Believing that being trauma-informed is now the expectation, not the exception.
- Asking, “What happened to you?”, instead of, “What’s wrong with you?”
- Viewing the process of “holding people accountable” with compassion.
- Using a compassionate lens when engaging with anyone.
- Learning how to de-escalate stressful situations.
- Treating people with dignity and respect – people who interact with the court system remember most how they were treated.

In short, if you are not sure how to get started with creating a trauma-informed work environment, just be kind – you simply do not know what life experiences people carry with them.

Bianca Bentzin is the Chief Prosecutor for the city of Austin, Texas and is also a licensed therapist with a private practice providing relationship therapy and supporting individuals experiencing anxiety, depression, trauma, grief, loss, and life transitions. Bianca also provides trainings to organizations and companies on psychological wellness in the workplace, including how to create a trauma-informed work environment. Bianca can be reached at bebentzin@gmail.com and www.beingwellwithbianca.com.