Specialization in Criminal Courts: Decision Making, Recidivism, and Re-victimization in Domestic Violence Courts in Tennessee

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Abstract

Local governments increasingly rely on specialized courts in the provision of criminal justice. Using administrative data on misdemeanor cases between 2000 and 2006, we exploit the arbitrary courtroom assignment of low-income defendants to evaluate the impacts of specialized domestic violence (DV) courts in the General Sessions Court of Metropolitan Nashville and Davidson County, Tennessee. We find that, compared to traditional court, DV defendants assigned to specialized court are more likely to have their case adjudicated through a trial than a plea, and are less likely to be convicted. At the same time, police records suggest that DV victims in cases assigned to specialized court are less likely to be involved in a future domestic incident, but are more likely to cooperate with police when called. Overall, defendants assigned to DV court are no more or less likely to be charged with a future crime three years later than defendants assigned to traditional court, potentially due to increased victim cooperation.

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1 Introduction

Identifying the impact of judicial specialization on the criminal justice system is an increasingly relevant empirical question. As of 2012, over 3,000 "specialized courts" have been identified in the United States, with most created after 2001 (Strong, Rantala, and Kyckelhahn, 2016). In contrast to traditional court settings, specialized courts are dedicated to cases where defendants have specific needs, such as mental health conditions, or are accused of specific types of crimes, such as drug offenses or domestic violence (DV). Whether or not such courts are effective at reducing future criminal behavior or increasing victim satisfaction relative to traditional courts is an open question. As noted by the Bureau of Justice Statistics in 2016, only 41% of specialized courts track the subsequent criminal behavior of the people who move through them, let alone evaluate these outcomes in a rigorous way (Strong, Rantala, and Kyckelhahn, 2016).

There is no one standard model of a specialized court. Many in the US tend to be diversionary and focus on "therapeutic jurisprudence," or seek non-criminal resolutions to cases.Some courts require defendants to enter guilty pleas, and some require substantial victim involvement. However, despite this variation, all specialized courts share two common features: a judge who has chosen to specialize in a given type of case and the judge's fixed courtroom personnel- typically specialized probation officers and specialized court officers (Strong, Rantala, and Kyckelhahn, 2016).

In this paper, we estimate the causal effect of these central components of a specialized, criminal, DV court on misdemeanor DV case outcomes and subsequent crime. In our context, the Tennessee General Sessions (GS) Court of Metropolitan Nashville and Davidson County (hereafter, "Nashville"), a "specialized DV court" consists of three actors, which we refer to

collectively as the "judicial component" of a court: a specialized judge, specialized probation officers, and specialized court officers. During our time period of analysis, 2000 to 2006, there were two, identically structured, specialized DV courts in Nashville. While this structure does not reflect the wide variety of forms that specialized courts can take, the judicial component of Nashville's DV courts contain the minimum baseline of what different jurisdictions could adopt to legitimately claim "court specialization" as part of broader criminal justice reform.

We are able to isolate and identify the causal effect of assignment to the judicial component of a specialized DV court on DV case outcomes, reoffending, and revictimization by exploiting a temporary feature of the Nashville court. Between 2000 and 2006, Nashville's two specialized DV courts were included in the set of courts (each court consisting of a judge, probation officers, and court officers) that were assigned to misdemeanor cases where the defendant had not posted bond (or bail) on a pre-determined, rotating, schedule. Assignment was entirely based on arrest date, and was not affected by any other specifics of the defendant or case, beyond the requirement that it involved only misdemeanor level offenses. As we will show, this court rotation created a situation where low-income misdemeanor defendants were assigned to specialized DV or traditional courts in a way that mimics random assignment, in that it is uncorrelated with characteristics of the defendant or case that might predict conviction, incarceration, or future recidivism.

Comparing the relative outcomes of DV cases assigned to specialized DV versus traditional courts, we find that DV cases are more likely to go to trial when assigned to a specialized DV court. This increased use of trials, where judges can exert more influence in case outcomes, is consistent with legal critiques of specialized judges issuing wider ranging opinions in civil courts (e.g. Rachlinsky, Guthrie, and Wistrich 2006). We then show that DV defendants

assigned to specialized DV courts are less likely to be convicted, are less likely to be incarcerated, and have shorter expected sentences. We do not observe that DV courts have a general propensity to be less punitive in other, non-DV cases, which are also arbitrarily assigned to DV and traditional courts. This suggests that observed differences in DV case outcomes are due to how specialized judges, probation officers and court officers react (or are expected to react by attorneys) to the types cases in which they are specialized, rather than a broader "judge fixed effect."

We then exploit a unique feature of our administrative data to evaluate how these less punitive specialized courts affect future behavior. We link the Court data to incident and arrest records from the largest police department in Davidson County, and are able to estimate the impact of being assigned to a specialized court on three conceptually and practically distinct measures of future criminal activity.

We first examine victims' future behavior. We find a 25% reduction in the probability that a victim whose case was assigned to DV court contacts the police about a future DV incident. This reduction is driven by victims whose cases were presented to the specialized court (either in a trial or to approve a plea bargain) rather than being dismissed by the prosecutor prior to the involvement of a judge or court staff. This suggests exposure to the judicial component of the specialized court is driving our outcomes. Though we do not find evidence consistent with victims or witnesses allowing for increased escalation in DV before calling 911, conditional on calling the police, victims that previously had their cases handled by a DV court are up to 80% more likely to cooperate with the police than those initially heard in traditional court.

We fail to find evidence that the judicial component of specialized courts impact recidivism rates when "recidivism" is defined as the probability a defendant is charged with a misdemeanor or felony in the three years following adjudication. Arrest data also suggest that defendants assigned to DV court are also no more or less likely to be arrested in Davidson County than when assigned to general court. Taken as a whole, the pattern of our results suggest that specialized courts appear to be better able to minimize the costly use of incarceration and conviction, without sacrificing public safety.

The paper proceeds as follows. In section 2, we provide a short summary of existing scholarly work on judicial specialization and policy interventions aimed at reducing DV. We provide an overview of how the Metropolitan Nashville and Davidson County Court handles misdemeanor cases in section 3. In section 4, we then explain our data and provide a test of judge randomization, and we outline our estimation strategy. We present our estimates of how judicial specialization affects case outcomes in section 5, and how specialization affects future criminal charging and revictimization in section 6. Section 7 concludes with a discussion of the policy implications of our results.

2 Existing Evidence on Judicial Specialization and Domestic Violence Reduction

Our findings build on economic and legal scholarship on judicial specialization, as well as research evaluating the criminal justice interventions aimed at reducing the social harms associated with domestic violence. As noted by Baum (2009), legal scholarship on judicial specialization primarily focuses on non-criminal federal courts that make decisions about bankruptcy, taxes, or patents (e.g. Curry and Miller 2009, 2015, Baum 2011, Hansford 2011, Kesan and Ball 2011, Rachlinski, Guthrie, and Wistrich 2006, Howard 2005). The general finding that emerges from this literature is that judges with more experience or expertise are

more consistent in their decision making, and may make better decisions in the sense that they are slightly less likely to be overturned on appeal. Commensurate with this, Coviello, Ichino, and Persico (2018), evaluate the impact of specialization in labor dispute courts in Italy and find that judges who have more experience with particular types of labor disputes resolve those cases quicker and are also less likely to have their decisions overturned. There are, however, potential downsides to specialization. Rachlinski, Guthrie, and Wistrich (2006) and Miller and Curry (2009) find that judges with more experience make more politically polarized decisions. Baum (2011) argues that specialized or expert judges are more likely to issue broad decisions that have the potential to influence public policy. In other words, specialization may increase the objective quality of a judge's decision, and a judge's confidence in their own decision-making ability.

In the context of criminal courts, the nature and underlying psychology of DV may lend itself toward specialized policy responses. The intimate connection between victims and offenders distinguishes it from many other types of criminal offenses (Dobash and Dobash 1992, Epstein 1999). Prior to 1970, many courts were reluctant to get involved in "family matters," as long as they did not involve permanent physical injury (Epstein 1999). Over time, policymakers, law enforcement officers, and members of the judiciary have seemingly agreed that family violence is a criminal matter necessitating a criminal justice system response (Dobash and Dobash 1992). However, crafting a response that is an effective intervention and responsive to the needs of both victims and defendants has not been straightforward.

Many DV-focused policy interventions involve hiring more female police officers, implicitly assuming that female officers have some specific expertise or experience that makes them better able to respond to DV victims than male officers; there is some empirical evidence that this may be the case in the US and Brazil (Perova and Reynolds 2017, Miller and Segal

2012), but efforts at creating "women's stations" in India have been less effective (Jassal 2020). Other criminal justice strategies that have been found to reduce DV involve reducing the need for victim cooperation, including "no drop" policies that require district attorneys to prosecute DV cases even if the victim declines to cooperate (Aizer and Dal Bó 2009), and mandatory reporting laws that require adults who work with vulnerable individuals to contact police if they suspect family violence (Bullinger, Carr, and Packham 2021, Fitzpatrick, Benson, and Bondurant 2020). All of these interventions involve increasing the contact that offenders have with the traditional criminal justice system.

A relatively small literature, primarily in criminology, has found mixed evidence on the effectiveness of specialized DV courts at reducing crime, particularly those that follow a therapeutic jurisprudence model. A recent review of 20 peer reviewed and non-peer reviewed articles found that, on average, defendants in DV court were less likely to recidivate, but studies with more credible research designs (e.g. using pre-post or matched comparison groups) to evaluate the impact of introducing a DV court into an existing court system tended to find small or null effects (Gutierrez, Blais, and Bourgon, 2016). Evaluations of victims' experiences in DV court have been primarily qualitative. They suggest that many, but not all, victims feel positively about their court experience (see Moore 2009 for a review).

We build on the research on DV policy interventions by providing the first evaluation of any part of DV court which uses a model of criminal, rather than therapeutic, jurisprudence. We also evaluate an established, rather than newly formed, DV court with a specific and scalable structure, using an identification strategy that we will show closely mirrors random assignment, generating credibly causal effects.

3 Institutional Setting

The Tennessee General Sessions (GS) Court of Metropolitan Nashville and Davidson County serves as the entry point into Nashville/Davidson County's judicial system for people charged by the District Attorney. It is a high-volume limited jurisdiction court, meaning that GS judges can decide on civil, misdemeanor, traffic, environmental, and municipal ordinance violations, but GS judges can only make initial decisions in felonies.[2] During our time period of analysis, 87% of cases process by the GS court were misdemeanors. GS judges adjudicate misdemeanor crimes by either accepting plea agreements, presiding over bench trials (i.e., the judge hears the facts of the case, and makes a decision without a jury), or dismissing cases prior to a trial - this typically occurs in instances where the DA's Office cannot produce evidence to substantiate the allegations put forth in the warrant. As in most of the criminal justice system, the majority of misdemeanors in the GS Court are resolved via plea agreement, which is negotiated by the DA and defendant and submitted for approval to a GS judge. There are 11 GS judges at any point in time (see Table A1 for basic demographic details of the GS judges in our sample), and each GS judge is elected to their own eight-year term. For administrative purposes, the judicial component of each court (a judge and the judge's probation officers and court officers) is referred to by a numbered "Division" (i.e. Divisions 1 through 11).

In 1994, judges and victim's advocates in Nashville changed the GS judicial system by designating two of the 11 GS courts as DV courts (specifically GS Divisions 1 and 4).[3] These DV courts were tasked with hearing all "DV related cases," meaning that a police officer or court

[2] GS judges determine if there is probable cause that the defendant committed a felony.
[3] For a history of the DV docket, visit the Nashville.gov portal.

agent has identified that the victim and offender share a domestic relationship.[4] The ultimate goal of the 1994 reform was for all DV related cases would be heard by one of the two DV courts. However, for budgetary reasons, and in order to comply with statutory regulations concerning how long people can be detained pre-trial, from 1994 to 2006, only defendants who were released on bond had access to the DV court.

Following the specifics of the 1994 reform, DV courts did not require defendants to plead guilty, were limited to first-time offenders, or use non-traditional approaches like "restorative" or "therapeutic" justice. Rather, Nashville DV courts operated within the same criminal justice system, but were run by people specialized in DV.

Each DV court is presided over by a DV judge. While there is no statute requiring adherence to certain standards or judicial certification in DV issues, there is judicial selection into serving in a DV court; both DV judges in our sample, Judge Gale B. Robinson and Judge Gloria A. Dumas, specifically sought election to Divisions 1 and 4.[5] They were or are (as one judge still works in this capacity at the time of this paper's writing) held in high-esteem for their commitment to learning about and curbing DV.[6]

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[4] The designation of a case as "DV related" can be done by any agent of the court, but is typically done by an arresting police officer. Some criminal charges in Tennessee are unique to domestic violence. specifically, Tennessee maintains a separate statue for DV assault (§39-13-111) versus non-DV assault (§39-13-101), although there is no difference in penalty or legal requirements across the two statutes, these separate charges make identifying at least a subset of DV assaults readily apparent to researchers. However, other misdemeanors that are not classified as an assault (for example, vandalism or breaking and entering the home of a former romantic partner) do not have separate statutes for DV versus non-DV relationships. In those cases, including when non-DV assault (§39-13-101) is reported, the police officer who is executing the warrant must indicate if the victim and defendant share a domestic relationship. For example, an assault occurring between a dating couple would be formally charged as "assault," (§39-13-101) but would be routed and staffed as a DV case in Nashville This type information is available for the purpose of assigning a case to DV court, but is not available to researchers.

[5] Two additional judges, Judge Aaron Holt and Judge Casey Moreland, were not elected DV judges but heard requests for protection orders. In our main empirical specification, we treat these judges as general GS judges, but we do explore how our estimates change if we examine each judge's decision making separately.

[6] Judge Gale B. Robinson, for example, has received the Nashville Coalition Against Domestic Violence's "Award of Excellence" and The Tennessee Task Force Against Domestic Violence's "Judge Wheatcraft Award," in honor of Justice Jane Wheatcraft, who spearheaded many Tennessee state laws concerning DV.

DV court judges, like all GS judges, have two probation officers assigned to them. The DV probation officers receive training at probation officer conferences about managing a DV defendant's probation, and in particular, awareness of the specific dangers that DV victims face.[7] Given that defendants meet regularly with probation officers and that any violations of probation would be filed by the probation officer, this feature of the court has implications for enhanced accountability, recidivism, and victim support.

The DV court – like all GS courts - has two court officers that are also uniquely assigned to the judge. The court officers' primary functions are to ensure the safety of the judge and those in the courtroom, and ensure order when court is in session. An observant court officer can help to minimize courtroom witness intimidation or tampering, which if unchecked, could lead to a victim or witness recanting their testimony or leaving court altogether.

Finally, all DV cases in Davidson County obtain special resources that are not part of the judicial component of the court. As in many jurisdictions, the District Attorney's Office has a set of attorneys and victim witness coordinators dedicated to DV cases. The Office of the Public Defender also makes consistent assignments to defendants in DV involved cases. Community DV advocates, including professionals from shelters and Legal Aid, and the representatives from Batterer Intervention Programs may be involved in any DV case. In addition to seeking justice for the victims and defendants, these professionals also provide a unique source of continuous education and perspective to the DV court.

[7] Domestic Violence Probation Officers attended trainings at the local level (which were conducted by the YWCA Domestic Violence Shelter, District Attorney's Office, and Domestic Violence Division of the Police Department). The also attended national trainings and conferences such as those offered by the American Probation and Parole Association Conference and National College of District Attorney's National Conference (email correspondence with GS Court probation officers Maria Schaffner, 2021).

The institutional features of the judicial and non-judicial components change the way in which a DV case in DV court may proceed in two ways. First, due to any specific training they choose to receive, their expectation about the actions of their probation officers, the way the court officers control the setting, their own experience, and the fact that they selected into the position, DV judges may ultimately convict at different rates than non-DV judges in DV cases – either on average or in specific types of cases. Second, the number and types of cases where a plea deal is reached may change because of strategic behavior on the part of the DA and defense (in response to their expectation of the courtroom experience and a DV judge's taste for conviction). DV defendants may be willing to accept harsher plea conditions in order to avoid a bench trial in front of a relatively harsh judge. It also may be the case, as argued in the legal literature, that specialized judges simply reject more plea deals, because they prefer to have more control over the cases in which they have specialized knowledge (Baum 2011). If a DV judge prefers to try DV cases, or if a District Attorney prefers to try DV cases in front of DV judges, this will increase the fraction of bench trials, which will lower conviction rates due to the uncertainty of a trial relative to a plea agreement.

Whether or not these differences affect social outcomes depends on the quality of the DV judge's ultimate decision – are they convicting offenders whose future behavior will be changed by conviction? While DV judges do not have the authority to impose different sanctions than non-DV judges,[8] their experience may enable them to select the criminal justice response that is

[8] The maximum sentence for a Class A misdemeanor is 11 months and 29 days to serve, and judges can apply sentences at varying lengths of time below that. For example, if sentenced to serve jail time, the defendant can be ordered to serve any fraction of their official sentence. In DV cases, jail time can also be commuted if a defendant attends and successfully completes an in-jail "Batterers Intervention Program" (BIP). Judges can also choose between various conditions. Such conditions include but are not limited to: (i) supervised probation, (ii) stay of execution (SOE), (iii) court ordered DV treatment program, (iv) stay-away and no-contact orders, (v) community service, (vi) weapons forfeit orders, and (vii) restitution to the victim. Probation and SOE orders cannot exceed the maximum jail time, for example, 11 months and 29 days for Class A misdemeanors or 6 months for Class B

best suited to reducing further victimization and offending in the specific and varying circumstances of each DV offense, which the DV court officers' actions may help the DV judge uncover. Moreover, the defendants whose cases are heard in a DV court may have a different post-court experience if DV probation officers offer additional expertise to the defendant relative to standard probation officers.

Evaluating the specialized environment created by the judicial component of a DV court (the judge, court agents, and probation officer) is complicated by that fact that the typical case assignment process creates a failure of common support; any case that might involve DV is routed to DV court, and only cases that are unrelated to DV are assigned to traditional court. However, as noted earlier, prior to 2006, this deterministic assignment of cases to traditional of DV court occurred *only* to the defendants that had posted bond. Low income-defendants, who were unable to post bond and were held in jail, had their cases assigned to courts based on date of arrest, and only date of arrest, on what was known as the "jail docket." As a result, low-income defendants effectively had a 2/11 chance of having their case assigned to the judicial component a DV court, and a 9/11 change of having their case assigned the judicial component of a non-DV court. Notably, in order to ensure that DV victims were not denied services due to the financial constraints of their alleged attacker, all non-judicial services available in DV court (e.g. representatives from Batterer Intervention Programs, specialized public defenders, and prosecuting attorneys with expertise in DV) are provided in all cases on the jail docket, even if the case is not related to DV.

3.1 How are Low-Income Defendants Assigned to Specialized or General Court?

misdemeanors. Should probation or a SOE order be revoked, the defendant would serve their time at a predetermined percentage (30%, 40%, etc.).

When a police officer responds to any crime scene, their main objectives are to secure the scene, ensure the safety of all parties, and investigate the potential crime. In Nashville, responding officers are required to complete an incident report which contains a complaint number and characteristics of each incident (e.g. precinct, incident location, date, and time of the day). The incident report also includes information on the victim. These incident details are collected by the court clerk and become publicly accessible on the court clerk's portal.

In domestic incidents, if there is probable cause to believe a crime occurred, then, under Tennessee law, the police officer is "strongly encouraged" to arrest the offender, with or (as is frequently the case) without a warrant.[9] After an arrest is made, bond and bond conditions are set by a Night Court Commissioner, who also decides whether or not to issue a warrant after a warrant-less arrest.[10] The warrant contains information on the offender's key demographic information (e.g. offender's name, gender, date of birth, and race). Criminal cases are subsequently transferred to the District Attorney's office, which makes decisions about how, or if, to bring criminal charges in the case. If charges are brought, cases are then transferred to the General Sessions Court.

[9] This law is a form of pro-arrest law, more commonly referred to as a recommended arrest law. Officers are not required to make a mandatory warrantless arrest-they still retain discretion-but a warrantless arrest is the default and by far the most common outcome. For simplicity, we assume only one party is arrested, but some advocates have expressed concern that pro-arrest laws can lead to dual arrest in which both parties are arrested at the crime scene. When someone is arrested without a warrant, the arresting officer takes the suspect to a 24-hour, 365 day a year "Night Court" in order to obtain a warrant after the fact.

[10] While our data set does not provide the bond amount, a typical bond is $1,000 per warrant and a $5,000 bond on the high end. The Commissioner may also set other bond conditions. The standard, default conditions in a DV crime include (1) a 12-hour hold, whereby the defendant must spend 12 hours in jail regardless of their ability to post bond, (2) a stay away order, which prevents the defendant from contacting the victim, (3) an order prohibiting the possession of firearms, (4) an order to refrain from committing other crimes, and (5) an order to attend all future court appearances. In the event an offender posts bond, failure to adhere to these conditions could lead to bond forfeiture, re-arrest, and the defendant would be held in jail while their charges are pending. The most common way a defendant posts bond in Nashville is through a "surety bond", where a co-signor hires a bail bonding agent and pays the agent 10-15% of the bond plus administrative costs and states fees. Most defendants, therefore, are asked to post bond for approximately $200.

Approximately 74% of all people accused of misdemeanors are unable to make bond after their cases are transferred to the GS Court. Following Tennessee law, barring extenuating circumstances, these defendants must have their case adjudicated within 10 days of their arrest.[11] In order to meet this statutorily mandated deadline, each of the 11 GS judges are required to spend approximately four to five weeks each year hearing cases of jailed defendants, what is known as "working the jail docket." Judges rotate through the jail docket sequentially, with the order generally determined by the presiding GS judge, roughly every two years at a time.[12] Figure 1 summarizes the case setting process for jailed defendants. During the time period of our analysis, 2000-2006, 48% of misdemeanor defendants charged with DV assault did not post bond, and their cases were therefore heard on the jail docket. Due to the rotating nature of the jail docket, twice every 11 weeks the judicial component of one of the DV courts – the judge and their courtroom working group who operated one of the two DV courts - cycled through the jail docket, just like the other nine GS Courts. Since the non-judicial DV services are available in all jail docket cases, this rotation effectively brought the full DV court to all DV cases, but only for a few weeks interspersed throughout the year. Conditional on offenders being unable to post bond, their assignment to DV court was based entirely on the time and date of offense and uncorrelated with other case characteristics, or the sitting jail docket judge's degree of specialization.

[11] Cases can theoretically be set beyond the tenth day at the request of the defense or due to another extenuating circumstance. For example, a pending mental health evaluation, which would determine if the defendant is competent to stand trial, could delay a case beyond ten days. If the 10th day falls on a weekend, the next court date would typically be the following Monday.

[12] GS judges work other dockets on weeks they are not scheduled for the misdemeanor jail docket. On weeks DV GS judges are not assigned to the misdemeanor jail docket, they may hear cases on the felony jail docket or the DV bond docket. Non-DV GS judges will rotate through the felony jail docket, the non-DV bond docket, traffic, civil, mental health, and forfeiture dockets. All judges will also have weeks where they are not scheduled to hear cases.

Table A2 shows how arrest days and times correspond to a defendant's first jail docket setting during our sample period- no history of the judge or defendant, or nature of the offense, is accounted for. There is also no deviation from the jail docket schedule due to an overload of cases; the "day" for the court continues until all cases scheduled for that day have been resolved, as a defendant is entitled to a speedy trial no matter how many other cases are being heard. Selection into a particular judge on the jail docket is highly unlikely. Such selection would have only been possible if a defendant timed their offenses and/ or if police officers timed arrests with a particular judge's jail docket assignment. As we will show, there is also no evidence that misdemeanor defendants strategically post bond in response to which judge is assigned to the jail docket when they are arrested.

3.5 Identifying the Impact of Court Specialization using the GS Jail Docket

The assignment of cases to judges based on date of arrest and pre-determined rotation allows us to estimate the causal effect of the judicial component of specialized DV courtrooms – specifically the judge, court officers, and probation officers - on case and defendant outcomes. Further, we also observe non-DV jail docket cases that are arbitrarily heard by the DV court, allowing us to compare DV and non-DV court outcomes in DV and non-DV cases and disentangle the impact of specialization from a judge (or court) fixed effect.

Since all judges have authority to assign the same sets of punishments, and all cases where the defendant cannot post bond are provided with DV services, our "treatment" is the collective specialized knowledge of the DV judge and their court officers, rather than a specific type of non-judicial DV advocacy or defense strategy. One implication of this is that our findings may be more generalizable to other plausible types of judicial specialization (i.e. where judges select to specialize in specific legal areas, like Veteran's Court or Drug Court) where victim

advocates or specialized legal representation may be less likely to be involved. Alternately, if there are complementarities between the judicial component of a DV court and non-judicial DV services, our results may overstate the impact of court specialization.[13]

4 Data and Identification Strategy

4.1 Data

In order to estimate this causal effect, we obtained data on all criminal charges filed in the Metropolitan Nashville and Davidson County Criminal Court system, up to 2018, by web scraping publicly available records posted on the county clerks' web portal. Our analysis will focus on cases adjudicated between 2000-2006, when the defendant did not post bail- these cases, and only these cases, are all heard in Criminal Justice Center Room 132. We begin in 2000 because that is when Nashville shifted to electronic warrants, which made the data on cases filed in 2000 and later much more complete, and sufficient for the purposes of our analysis. We do not analyze cases adjudicated after 2006, when Nashville's jail docket was restructured to allow for all DV cases to be assigned to DV courts. Finally, while the focus of this analysis is DV cases adjudicated in the GS Court's misdemeanor jail docket, we use the entire dataset of all court cases through 2018 to construct measures for the criminal history of defendants and their future interaction with the entire GS court (i.e. whether a defendant was ever charged with a new crime before and/or after case disposition) including felonies and misdemeanors.

The court records include information on the defendant, as well as court appearance and case details. Defendant data include information on name, date of birth, race, and a fingerprint-

[13] While judges may develop expertise in a particular area due to presiding over certain types of common cases over the course of their career, we are unaware of any jurisdiction, where as a matter of policy, judges are randomly compelled to preside over specialized courts in certain legal areas against their will. That said, our results would not generalize to such a situation.

supported "OCA" number generated when someone is booked into jail. Appearance data include court dates, attorney, courtroom assignment (allowing us to identify defendants on the jail docket), and judge (allowing us to identify when a DV judge and their staff was assigned to the jail docket). The case details include convicted offense, disposition, disposition date, incarceration and/or probation length and location, court costs, restitution cost, and notes containing special/extra conditions. It also includes information on the warrant numbers associated with the case.

Using defendants' OCA number, we are able to link court records to arrest and incident data obtained from the Metropolitans Nashville Police Department, the largest police department in Davidson County. The arrest records also contain an incident number, allowing for a linkage to the incident data. Unlike the arrest data, incident data more completely describe any interaction between the police and potential victim, including, frequently, the name, age, and gender of the victim,[14] as well as the alleged offense, the responding officer's report of how the incident ended – if it was cleared by arrest, the offender died, a crime did not occur ("unfounded"), or if any investigation ended because the victim refused to cooperate.

We identify DV cases based on the charges filed in court. In our primary specification, our set of DV cases are any case that includes a charge for a "domestic assault"[15], specifically a violation of Tennessee statute §39-13-111. Tennessee defines domestic assault as a misdemeanor assault where, in relation to the defendant, the adult or minor victim is (1) a current or former spouse (2) a current or former cohabiter, (3) a current or former sexual partner (4) a relative by

[14] In practice, the majority of incidents are drug offenses, where the victim listed as "The State of Tennessee." Victim information is included, however, in most incidents allegedly involving domestic violence (§39-13-111)
[15] Prior to 2000, domestic assault was charged as "assault." As we will show in table 6, our main results are robust to defining "DV cases" as all misdemeanor assault charges. All results presented in this paper are robust to using varying definitions of DV, as well as conducting the analysis at the charge, rather than case, level. These tables and figures are available on request.

blood or adoption (5) a current or former relation by marriage or (6) the child of someone whose relationship with the defendant is described in (1)-(5). Figure 2 presents the number of these cases heard in Nashville between 2000 and 2006, as well as the number of the cases heard by the specialized judges. During our sample, a total of 12 judges ran the 11 different judicial divisions. Consistent with jail docket cases being assigned to a DV court arbitrarily, and defendants not differentially posting bond when assigned to DV court, on average, the two DV courts heard about 18% of jail docket DV cases in our analytic sample.[16]

4.2 Testing for Random Assignment to Courts

In this section, we more formally investigate whether jail docket defendants are, empirically, assigned to courts arbitrarily. Following DiTella and Schargrodsy (2013), we estimate a regression of a particular defendant attribute, such as race or age, on an indicator for a DV court, controlling for the variables on which the randomization is conditioned, i.e., year (2000-2006) and week of the year (1-52 or 53) fixed effects.

$$x_{it} = \pi_0 + \pi_1 (DV\ Court)_j + \lambda_t + \mu_{it} \qquad (1)$$

In equation 1, x_{it} represents a defendant characteristic or a case, $(DV\ Court)_j$ is an indicator taking the value of one if judge j who hears a DV case at time t is in a specialized DV court. The matrix λ_t contains year-of-assignment and week fixed effects, and μ_{it} is the unobserved component of that outcome. We examine the following characteristics: an indicator for the defendant being White, age of the defendant, time from arrest to court (in days), number of charges per case, an indicator for being previously charged with any crime, an indicator for being

[16] Technically, judges are supposed to decide on charges, rather than cases. However, charge bargaining during the adjudication process means that case level conviction and sentencing rates are strongly correlated within a case. In addition, examining recidivism makes much more sense at the case level. That said, estimating our results at the charge level, allowing for arbitrary correlation in outcomes within defendant (and thus also case), yields identical conclusions.

previously charged with DV, an indicator for being previously charged simple, Non-DV, assault (specifically, violating Tennessee statute §39-13-101), and the number of previous court appearances for any crime. Because of the small number of female defendants, we limit our sample to only male defendants.[17]

Table 1 presents the observable characteristics of cases and defendants in our sample across DV and non-DV (i.e. general) courts, including an indicator for whether or not the defendant was successfully linked to any Nashville Police Department arrest record with an OCA number. In column 1, we present the unconditional mean of the covariates for non-DV courts, and the second column contains the predicted value from an OLS regression of the characteristics on the indicator that the case was assigned to DV court, controlling for time fixed effects. The p-values reflect the statistical significance of coefficient on the indicator for DV court assignment (i.e. π_1 in Equation 1).

The sample contains approximately 1.5 times more Black defendants than White defendants, and ~ 85% of the 1,045 DV defendants have previous court appearances. More than 22% of individuals in our sample have been charged with DV before their current case, and the average age of defendants is around 35 years.[18] Two (out of 18) p-values associated with the differences in defendants across specialized and non-specialized judges are smaller than 10%, and the means of the characteristics of the people and cases seen by judges are substantively similar. Thus, we conclude that defendant and case characteristics are not correlated with judge specialization, consistent with our institutional knowledge of how jail docket cases are assigned.

[17] Including the 178 female defendants that we observe does not substantively change our results.
[18] See Figure A3 for the full distribution of defendant age in specialized and non-specialized courts. The 1.5 year mean age difference is driven by a small cluster of younger defendants heard in general court, creating a more pronounced bimodal age distribution in those courts relative to the DV courts. Otherwise, the age distributions are essentially identical.

4.3 Estimation Strategy

The arbitrary assignment of cases on the jail docket to courts means we can use basic multivariate regression to evaluate whether DV cases assigned to DV court are adjudicated differently than they would be in general court.[19] We begin with an analysis of the District Attorney's initial decisions about dismissal and plea bargaining, then turn to four main categories of adjudication outcomes: (i) any conviction, (ii) number of convictions, (iii) incarceration, and (iv) maximum sentence length. Finally, we will examine post-case outcomes using the incident, arrest, and court data. Our initial specification takes the following form:

$$Y_{icjt} = \beta_0 + \beta_1 (DV\ Court)_j + \lambda_t + u_{icjt} \qquad (2)$$

Where $Y_{icjt}$is the outcome of interest for defendant i's case c, facing judge in court j (who is either specialized or not) in year t. $(DV\ Court)_j$ is an indicator variable for whether the judge and their staff in court j are specialized in DV. λ_t are year-of-assignment and week fixed effects, and u_{icjt} is an unobserved error term, which we adjust for arbitrary correlation in outcomes within defendant and week.[20] Under our identifying assumptions of arbitrary assignment, the estimated β_1 provides an unbiased estimate of the effect of a DV offender being assigned to a specialized court relative to a DV offender being assigned to a court that is not specialized.

The estimated value of β_1 reflects two things: the average difference in all cases assigned to a specialized court, essentially a court fixed effect, and the average difference in outcomes for

[19] A case is inclusive of all the defendant's charges on that case. A case may involve one singular charge or multiple charges. We also re-run our analyses at the charge level and our results are robust to the unit of analysis.

[20] Note that the random assignment of cases to judges, confirmed for observable characteristics by our balance tests, means that there is no correlation in case or defendant characteristics within judge. While there is surely correlation in judicial decision making with a judge, the absence of correlation in regressors within randomly assigned judge means that not clustering at the judge level does not introduce bias in our estimated standard errors (Cameron and Miller 2005). Consistent with this, our estimates of robust standard errors are qualitatively identical to standard errors clustered at the judge level. Of course, with only 12 judges in our sample (11 judges are on the GS bench at any given time, but one non-DV judicial seat experienced turnover during our sample), estimated standard errors clustered at the judge level will be biased downwards (Cameron et al 2008).

specialized cases in specialized court. The underlying arbitrary case assignment mechanism allows us to differentiate between the former impact from the impact of specialization per se, as the judge assigned to work on the jail docket hears all cases in that week, not just the DV cases. The allows us to estimate the following difference-in-differences model

$$Y_{icjt} = \alpha_0 + \alpha_1(DV\ Court)_j + \alpha_2(DV\ Case)_c + \delta^{dd}(DV\ Court \times DV\ Case)_{cj} + \lambda_t + u_{icjt} \quad (3)$$

Here, we essentially estimate a court fixed effect, α_1 , using a comparison group of misdemeanor cases that are unlikely to involve DV - primarily drug offenses, theft, and fraud - and allowing for an average difference in outcomes for all DV cases.[21] The estimated value of δ^{dd} is the impact of specialization on the specialized cases.

Finally, we will also show that the inclusion of judge, defendant, and case characteristics, including the judge's gender and tenure, the total number of charges, the month of the case, the race and age of the defendant, and the defendant's previously number of DV and non-DV charges, does not substantively affect our estimates of either equations (2) or (3), consistent with court assignment being arbitrary, and not subject to selection.

5 Results

5.1 Do Attorneys Make Different Initial Decisions in Specialized Court?

A case that is sent to the DA's office has several potential outcomes. The most likely outcome in our sample is that a case is dismissed or retired prior to a trial (this happens in 44% of all DV cases, and 23% of all misdemeanors). These outcomes occur when the State is unable

[21] In other words, we exclude cases involving charges for assault, stalking, harassment, vandalism, and cruelty to animals and violations of orders of protection (VOP), as these are all common charges that may be identified as associated with DV, and thus assigned to DV court, even if there is not a formal charge of domestic assault, §39-13-111, filed.

to prosecute the case. This would happen if a victim did not appear in court, if the victim recanted the statements they made at the alleged crime scene, or if upon review, the prosecutor determined the facts of the case did not rise to the level of a crime. Judges do not have the authority to force a case to trial when all charges are dropped by the prosecutor.

The remaining non-dismissed cases are either pled out or adjudicated by the assigned judge. In order for a case to be pled out, a plea bargain must first be agreed upon by the prosecutor and defense attorney. However, both parties know that this plea must also be accepted by the presiding judge assigned to the case. The decision by the attorneys to reach a plea agreement, or not, is therefore conducted "in the shadow of a trial," and might be different when a case is assigned to a specialized court.

Trials in DV cases may be more likely if, when assigned to a DV court, prosecutors may seek a harsher verdict, which could subsequently be rejected by the defense. In addition, legal critiques of specialization focus on judges issuing broad and far reaching decisions in their areas of expertise. Following this, it is possible that DV judges are more likely to reject plea deals in order to personally resolve charges in which they have particular expertise; this is actually consistent with the perception of at least one judge as a DV advocate. The converse could also be true- a Davidson County Probation officer shared with us that non-DV judges specifically wanted to avoid hearing DV cases because they "did not understand the underlying dynamics of these cases." A DA's tendency to seek less acceptable deals and a combination of DV judges' willingness, and non-DV judges' reluctance, to hear DV cases could simultaneously contribute to an increased likelihood of trials in specialized court.

Table 2 presents our estimates of the impact of specialization on the initial processing of a case. We estimate that there is a statistically insignificant 3 to 4 percentage point increase in the

probability that all charges are dismissed in DV cases assigned to a DV judge, depending on whether additional control variables are included. This is not consistent with District Attorneys strategically choosing to pursue DV charges in objectively weaker cases when assigned to DV court, as we would expect to see fewer cases dropped if this were the case. We also find an 8 to 10 percentage point reduction, roughly 18%, in the probability that a DV case assigned to a DV court will be fully resolved via plea bargain. At the same time, there is a 5 to 6 percentage point increase in the probability that a DV case will be heard in a bench trial when assigned to a DV judge relative to one assigned to a general judge. This essentially doubles the probability of a bench trial, where the judge engages in direct decision making, in DV cases are assigned to DV court.

Our differences-in-difference models, shown in panel B, imply relative to other types of cases, DV cases are twice as likely to be dismissed. When assigned to DV court, DV cases are also 6.8 percentage points (about 10%) less likely to be resolved via plea bargain. About half of the increased propensity to go to trial observed in panel A can be thought of as a court fixed effect; DV judges are about 3 percentage points more likely to hear a DV case than they are to hear another misdemeanor case involving a jailed defendant relative to non-specialized judge, While smaller in absolute terms than panel A and imprecisely estimated, relative to the frequency with which bench trials occur on the misdemeanor jail docket this corresponds with a 100% increase in the probability of a bench trial.

5.2 Do Specialized Judges Make Different Decisions?

Table 3 presents estimates of how specialization affects case outcomes, based on Equation 2.[22] As in Table 2, columns labeled (1) contain only time effects, and columns labeled (2) add controls for defendant's characteristics (race, age, and age squared), defendant's criminal history (whether defendant is previously charged and the number of previous charges), and the judge's characteristics (gender and years of judicial service). In Panel A we focus on cases that include at least one charge for DV assault. Judges in DV courts are about 6-8 percentage points (11.6%-13.3%) less likely to convict than judges in non-DV judges in DV cases. On average, defendants in DV cases heard in specialized courts are convicted of 13-20% fewer charges. Specialized judges are also about 3-5 percentage points (7% - 10%) less likely to incarcerate DV defendants, although this is not precisely estimated. We do not find strong evidence that the maximum sentence length chosen by a specialized judge is different from sentences imposed by non-specialized judges, although consistent with the reduction in conviction rate the expected maximum sentence is roughly 10 days shorter. Figure 3 plots the distribution of observed sentences for charges in our sample, conditional on conviction. Overall, the distribution of assigned sentences is overall quite similar across courtroom types, suggesting that DV judges are not simply declining to convict in one particular type of DV case, but rather across the board.

It is perhaps unexpected – surprising even - to find that defendants in DV courts are more likely to be acquitted, given the victim-centered focus of the DV court. One explanation for this perception is that DV judges are less punitive than judges in general. However, when we account for how DV judges adjudicated non-DV cases, they remain particularly less likely to convict DV

[22] Results for incarceration and max sentence length conditional on conviction are presented in Table A3. These reveal that the reduction in conviction is driving the lower expected punishment overall.

offenders on the jail docket, and we find stronger statistical evidence that a DV defendant assigned to DV court can expect to receive a less punitive sentence. For DV defendants, being seen in a DV court, as opposed to general court, leads to a 10% reduction in the probability of conviction, a slightly larger, but not statistically distinguishable effect than found in panel A. We also find qualitatively similar, but now more precisely estimated, reductions in the number of convicted charges- a 16% reduction in incarceration for DV cases heard in specialized court and a two-week shorter expected sentence. Stated differently, DV judges and non-DV judges make similar conviction decisions on non-DV cases, but DV judges are less likely to convict in DV cases.

Our finding that DV cases are, on average, less likely to end in a conviction and incarceration when heard by a DV court is not obviously consistent with the historical motivation for creating the specialized court, and the general view of one specialized judge (Judge Robinson) in particular as an advocate for DV victims. We therefore examine other court outcomes and various subsamples of cases in order to better understand the estimates reported in Table 3.

5.2.1 Low Discretion Cases

Violations of an Order of Protection (VOP) are a special type of contempt of court charge that are unique to DV cases, where the nature of judicial discretion, in terms of both fact finding and sentencing, is quite different. Similar to DUI cases, which require evidence of a specific blood alcohol content, the defendant in a VOP case either did or did not have contact with an individual in violation of the court order; context and intent does not affect legal culpability as it does in a DV assault case. In addition, the penalty for each VOP violation - on average each charge involves two violations - is statutorily defined as 10 days to serve, day-for-day (i.e., the

sentence cannot be shortened for "good behavior" time or other forms of sentence manipulation). In this analysis, we focus on jail docket cases that include only VOP charges, as there is less scope for judicial "judgement" in these situations- judges can simply decide how many times a VOP occurred in a particular case.

As shown in panels A and B of Table 4, we find that in this type of DV case, where judges have little discretion, specialized and non-specialized judges make statistically identical decisions. Compared to VOP cases heard in General court, VOP cases in DV courts may be more likely to end in convictions and more carceral outcomes. However, as in domestic assault cases, differences in judicial taste, with specialized judges being more likely to incarcerate, are partially responsible for the different outcomes in DV cases assigned to them. Taken as a whole, this suggests that judicial discretion is playing a role in the finding that DV judges make different choices in their area of specialty; when that discretion is limited, court outcomes are more similar across all judges, and the point estimates suggest that specialized judges are, if anything, more punitive in these low discretion decisions.

5.2.2 Judge Specific Fixed Effects

Our estimate of the impact of specialization is, essentially, the difference in average judge fixed effects across the general and specialized groups. In Figure 4, we present corollary estimates of Table 3, Panel B, Column 2, where in each model we either (1) compare one judge to all other judges or (2) exclude a judge from the sample. In addition to the specialized DV judges, two additional judges, Judge Moreland and Judge Holt, presided over the Order of Protection (OP) docket. The OP Docket oversees civil proceedings, whereby a petitioner (victim) asks the Court to prohibit a particular respondent (aggressor) from contacting them. By having the OP Docket as part of their judicial responsibilities, these two judges may have gained

expertise about DV cases that their other non-DV judicial peers did not possess.[23] Such experience might make these courts more similar to a DV court. Relative to all other judges, and non-DV misdemeanor cases, the two judges in specialized DV courts are notably (weakly) less likely to convict in DV cases than all other judges, save one: Judge Moreland, who is 7.7% less likely to convict in DV cases. When we sequentially exclude one judge from the sample at a time, our estimates range from a 7 to 11 percentage point reduction in the probability of conviction, and are always statistically distinguishable from zero.

5.2.4 Broader Definition of DV Cases

As a final robustness test, we broaden our definition of DV to include other types of charges that are commonly associated with DV, and based on case facts that are not observable to researchers might be routed to DV court if the defendant was able to post bond. Misdemeanor assault (§39-13-101) in particular is likely to include some element of DV, as the specific law against domestic assault (§39-13-111) was only created in 2000. Figure 5 shows the frequency with which general assault (§39-13-101), and domestic assault charges are filed in court (§39-13-111), and shows striking evidence that these two charges may be used to describe the same criminal act and may be used interchangeably or substituted for one another – though this practice declines overtime as the legal change is normalized in the criminal justice system.[24]

[23] Nashville and Davidson County assigned the two additional GS Divisions to hear protection order petitions due to both the urgency of the hearing and the volume of the petitions. When a petitioner seeks a protection order, the "Night Court" Commissioner grants them an "ex-parte" or temporary order. During this time the respondent cannot have contact with the petitioner, and this could preclude the respondent from residing in their residence and may also have child custody implications. The ex-parte order does not (in most circumstances) prevent a respondent from having a firearm. However, if the ex-parte order is a *full* protection order, the respondent can no longer have a firearm. Therefore, there is an urgency to hear protection order petitions. To make sure protection order hearings were heard every weekday, 4 Divisions rather than only 2 DV Divisions, were assigned to the protection order docket. As of 2006, DV Divisions began hearing all OP dockets, misdemeanor DV criminal charges, and the initial probable cause hearing/ evaluation for felony DV criminal charges.

[24] Note that the gradual increase in use of DV assault implies that new DV courts may function differently than established ones, complicating the external validity of identification strategies based on the introduction of these courts.

As shown in Table 5, we find qualitatively similar estimates of the impact of court specialization in this larger sample, although as expected the results are somewhat attenuated. "Possibly DV" cases heard in DV court are less likely to result in a conviction, particularly relative to other misdemeanors heard in DV court. DV judges are also more likely to impose sentencing involving incarceration in DV (§39-13-111) and assault (§39-13-101) cases, but this appears to be a judge fixed effect, rather than a decision that is specific to DV (or potentially DV) cases.

5.2.5 Who is Convicted in DV Court?

Our finding that DV defendants assigned to DV courts are, on average, less likely to be convicted does not imply that all defendants are equally less likely to be convicted in DV court. In Table 6, we characterize defendants on the jail docket who are convicted and not convicted by DV and general judges. As in Table 1, we present unconditional mean values for defendants assigned to general court, and then the predicted means for defendants assigned to DV court, accounting for time (year and week of the year) fixed effects. Cases that involve more charges are more likely to end in conviction in both courts, and people with previous records of assault are more likely to be convicted (although this is a marginally significant predictor of being convicted in DV court). Recall that younger DV defendants appeared more likely to be assigned to general court; defendants who are convicted by DV judges are on average almost 2.5 years older than people convicted by general judges, and on average have appeared in court two additional times – the existence of any criminal history appears to matter less than how extensive that history is for determining conviction in DV court. In contrast, people who are not convicted in either court appear to be similar to each other on demographics and criminal history.

Overall, DV judges appear to be less willing to convict defendants who, perhaps entirely because of their age, have had less criminal justice contact. In Figure 6, we confirm this result be re-estimating our baseline model for defendants in four different age categories; a reduced conviction rate for the youngest defendants assigned to a DV, versus general, court are driving the overall lower conviction rate in specialized court.

5.3 Specialized Court and Future Domestic Violence

5.3.1 Are DV Victims More Likely to Contact the Police?

DV judges appear to be less likely to convict younger DV defendants with shorter criminal histories than general judges, and therefore these judges are less likely to convict DV defendants overall. We now examine the consequence of these decisions for recidivism, which we measure in three ways. First, we begin with a victim-centered definition of recidivism: Are DV victims assigned to DV court differentially likely to contact the police in the future relative to those assigned to general court? In 84% of the DV cases in our data, information on the victim's name is included. We then compared the victim names in our court data with complainant information in incidents recorded by the Nashville Police Department from 2000 to 2016. In non-DV cases, primarily drug offenses, the victim name is generally listed as "State of Tennessee," meaning that we cannot estimate equation 3 for this set of outcomes, as it would require comparing re-victimization in DV cases to re-victimization in non-DV cases.

In Table 7, we use our victim-centered approach to recidivism, based on whether the victim in the initial case contacts the police in the future. Though we cannot distinguish between a judge fixed effect and the impact of specialization, we find that DV victims whose cases are assigned to a DV judge are 10 to 12 percentage points (or 18 to 22%) less likely to contact the Nashville police in the three years following adjudication, for any reason. When we look at the

probability of the victim filing a police report for an assault, specifically, we estimate a similar 11 to 12 percentage point reduction, just over 20% of the mean of 46%.

Of course, the observed reduced propensity to contact the police could be due to increased victim safety or a "gag effect" where victims are less trusting of the court, potentially due to their original assailant not being convicted. We find no strong evidence for substantive changes in whether or not the victim is involved in a case where an arrest is made (recall that this occurs when the police or magistrate believe that a crime has occurred), although the point estimates are negative and correspond with a roughly 5%-10% reduction. Finally, we analyze the likelihood that the police report that a victim refuses to cooperate in the new incident report. If a victim's case was previously assigned to a DV court, they are 4.7 to 5.6 percentage points (or 69 to 82%) less likely to be recorded as refusing to cooperate with police at a crime scene in the future. Limiting the sample to victims who are involved with any incident does not change this negative result. This is important for two reasons: (1) successful prosecution of DV crimes often relies heavily on victim cooperation and (2) it signals that – even though the overall conviction rates are lower – DV judges may increase victim participation with the criminal justice system in future events.

5.3.2 Are DV Offenders More Likely to Come into Contact with the Criminal Justice System?

Next, we define recidivism based on whether the defendant had any future arrests by the Metropolitan Nashville Police Department or criminal charges, felony or misdemeanor, filed against him three years after initial adjudication. Recall from Figure 3 that misdemeanor offenses are generally associated with sentences that are no more than three months long, meaning that

the scope for differential incapacitation affecting our recidivism results over three years is relatively small.

In Table 8, we present our estimates of the impact of court specialization on recidivism, where we define recidivism as an offender either being arrested by the Metropolitan Nashville Police (columns 1, 3, and 5) or showing up in GS court (columns 2,4, 6, and 7) within three years for a DV assault charge (felony or misdemeanor), any assault (felony or misdemeanor), any criminal charge (felony or misdemeanor), and charged with any DV-related felony offense. For the sake of space, we only present results from models that include case and defendant controls. In Panel A, we find a negative, statistically imprecise, relationship between whether an offender in a DV case is assigned to a DV court and various measures of re-arrest for DV assault, or assault more generally.[25] We also find a negative, albeit also imprecise, reduction in the probability of a future DV-related felony charge, which is not clearly consistent with acquitted defendants escalating their criminal behavior. Whether we use arrest or court charges, the point estimates correspond to a roughly 10% reduction in criminal justice contact, but we cannot reject larger reductions or small increases in this measure of recidivism.

When we compare DV defendants heard in DV or general courts to other misdemeanor defendants assigned to DV versus general courts in a DID framework, in Panel B, we find similarly imprecise estimates- although we do observe that people charged with DV offenses are more likely to be rearrested for assault than people charged with non-DV offenses. Overall, however, somewhat in contrast with the victimization results, the arrest and court data do not

[25] Notably, the probability that any defendant is rearrested by the Nashville Police (16-20%) is roughly the same as the probability a victim is involved in a future incident where an arrest by the Nashville Police occurs (18%), but the probability of the defendant showing up in Davidson County Court, after an arrest by any agency, is higher. This could be because of missing ID numbers in the arrest data, offenders being rearrested by other law enforcement agencies in Davidson County, or both.

reveal strong evidence one way or another about the impact of specialization on the likelihood that a defendant is charged with a future crime.[26]

5.3.3. Does Appearing before a Judge Matter?

Is this difference in victim and offender outcomes actually driven by judicial assignment, or is it a spurious finding? Recall that cases that are entirely dismissed by the prosecutor never appear before a judge, and we found scant evidence that, in spite of the strategic opportunity, that prosecutors were differentially likely to drop all charges in DV cases assigned to DV judges. If exposure to a DV court matters, we would expect the differences in victim-oriented recidivism should be largest for victims who actually encountered a DV judge. In Table 9, we compare our victim-centered outcomes for cases assigned to General and DV courts, distinguishing between cases that never went before any judge, and cases that appear before a judge-if only to accept a plea. Because of small sample size, we only report unconditional means.

Table 9 makes clear that the observed differences in outcomes are driven by victims whose cases were prosecuted – meaning the victim and offender interacted with the DV court. Given the nature of DV crimes, which often take place in private settings with few if any non-familial witnesses, the vast majority of cases can only be prosecuted if in fact the victim showed up in court. We note that "showing up in court" likely matters regardless of case outcome because the victim may hear the judge instruct the defendant about his past or future behavior and the judge may use the opportunity to address the victim.

[26] We also examine the differences in recidivism of DV offenders who were not convicted in a bench trial, but still had to appear before the judge- either in an acquittal or to have their plea bargain accepted. The sample size is too small for formal regression analysis (20 defendants acquitted in a bench trial, and 44 who plead guilty on all charges), but reveals that, in general, defendants who appear before a specialized judge, may be less likely to recidivate.

In cases that were prosecuted (again, perhaps a proxy for the victim being physically in a courtroom), 54% of victims in cases assigned to non-DV courts contact the police in the future, regardless of whether or not the case went before a judge. When assigned to a DV court, 57% of victims contact the police again when cases are dismissed by prosecutors, versus 35% of victims who cases appeared in front of the DV judge. Further, DV victims whose cases were assigned to DV court were less than half as likely to be involved in an incident where the police believed a crime occurred, and therefore made an arrest. Unconditionally, victims who actually interact with the DV court are one percentage point (3% versus 2%) more likely to contact and cooperate with the police in the future. Conditional on contacting the police in the future, DV victims whose previous cases involved a DV judge were 2 percentage points (33%) more likely to cooperate with police than DV victims whose cases were dismissed before they ever entered a DV court. We observe no such difference in outcomes when DV cases are assigned to general court – meaning that whether or not a victim or defendant saw a judge is a poor predictor of what happens after a case concludes.

These patterns appear to be unique to the victim outcomes. We find that both DV and non-DV courts have, substantively and statistically, the same offender-centered recidivism measures regardless of whether the defendant interacts with the judge, even though DV judges are less likely to convict, or incarcerate, the defendants they speak with.

6 Conclusion

Specialized criminal courts are gaining popularity with local governments to address crimes involving victims or offenders with unique needs that are believed to render traditional adjudication and incarceration ineffective. In Nashville and Davidson County, between 2000 and 2006, DV defendants who have not posted bond (i.e., those on the "jail docket"), were arbitrarily

assigned to one of eleven judges. Two of these eleven judges selected to specialize in DV cases, and their probation and court officers had special training in DV issues.

This unique feature of the jail docket in Nashville allows for credible identification of the casual impact of judicial, and court staff, specialization on court and crime outcomes. Our results suggest that judges specialized in DV, working with specialized staff, make different decisions in DV cases relative to general judges. However, their decision making varies by the specific alleged offense: decision in assault cases change, while decisions in less discretionary decisions (violations of orders of protection) do not. The composition of cases resolved outside the courtroom suggests that specialized DV judges are less willing to accept guilty pleas for DV assault. Because of this reduction in approved plea bargains, we find that DV judges are less likely to convict and incarcerate defendants of domestic assault than non-specialized judges, but roughly equally likely to convict a defendant of less discretionary VOP. This is driven by DV judges being less likely to convict younger defendants with shorter criminal histories.

The unique data collection procedure in Davidson County allows us to then examine both recidivism and revictimization outcomes. After linking court records to police incident reports, we find that the victims in DV cases assigned to a DV court are up to 20% less likely to contact the police than victims in DV cases heard in general courts, and substantially less likely to refuse to cooperate with the police. Perhaps because of increased willingness to engage with courts, we find that there is little evidence that defendants assigned to a DV court are any more or less likely to be charged with a future criminal offense, DV related or otherwise. The observed potential reductions in revictimization, coupled with our failure to find strong evidence of a change in officially recorded recidivism, suggests that DV courts may reduce “type 1” errors in misdemeanor court by declining to convict, without increasing “type 2 error”- the rate at which

dangerous offenders are not punished. This particular finding that reduced conviction does not appear to increase reoffending is notably similar to recent evidence on the benefits of declining to prosecute first time misdemeanants in Suffolk County, MA (Agan et al 2022).

Future work examining why victims contact the police can shed light on whether the observed impacts of DV court on future behavior are, in fact, the result of increased victim cooperation with the police and prosecutors, as our data suggest. Such an outcome would be consistent with the intent of the DV court, or a reluctance to contact the police in more marginal domestic incidents. While we do not observe evidence consistent with victims waiting to contact the police until violence escalates, this is obviously an undesired outcome on the part of the Court, and therefore warrants additional research.

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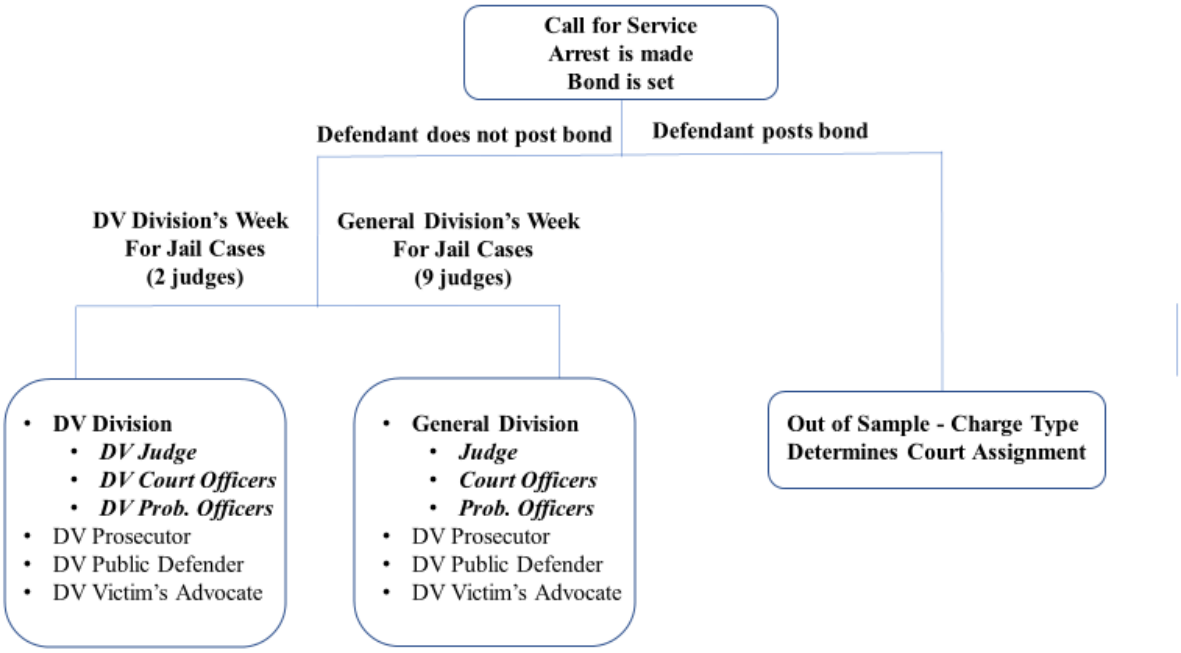
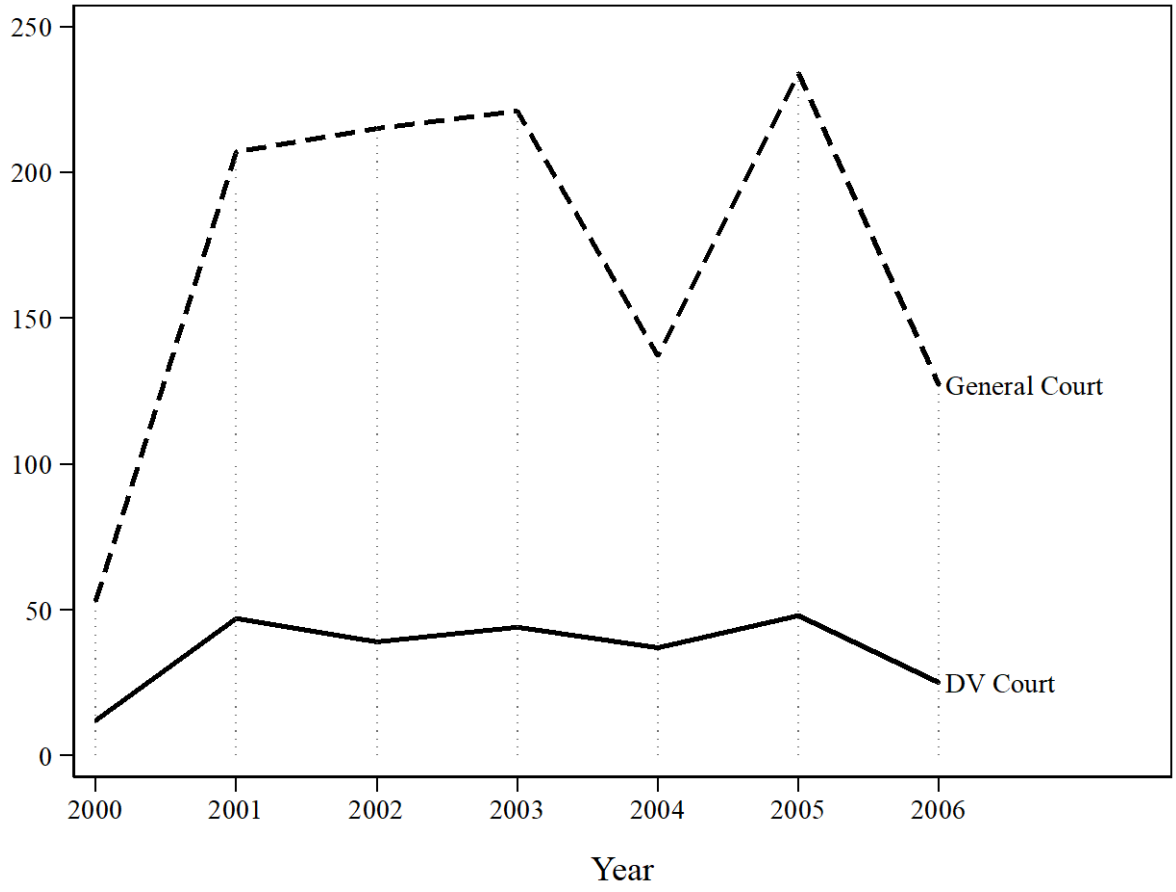
Figures

Figure 1: Misdemeanor Case Assignment in Davidson County, 2000-2006



Note: Between 2000 and 2006, two DV Judges and nine General Judges served the General Sessions Court. Two Court Officers and two Probation Officers are assigned to each Judge, and this set of five people is called a "Division." Defendants who do not post bond are assigned to the Division scheduled to adjudicate jailed cases in that week, according to a predetermined, rotating, schedule. We do not examine cases where the defendant posts bond, since all DV cases, and no non-DV cases, are exposed to the entire DV Court (DV Division, DV Prosecutors, DV Public Defender's and DV Victim's Advocates) when that occurs.

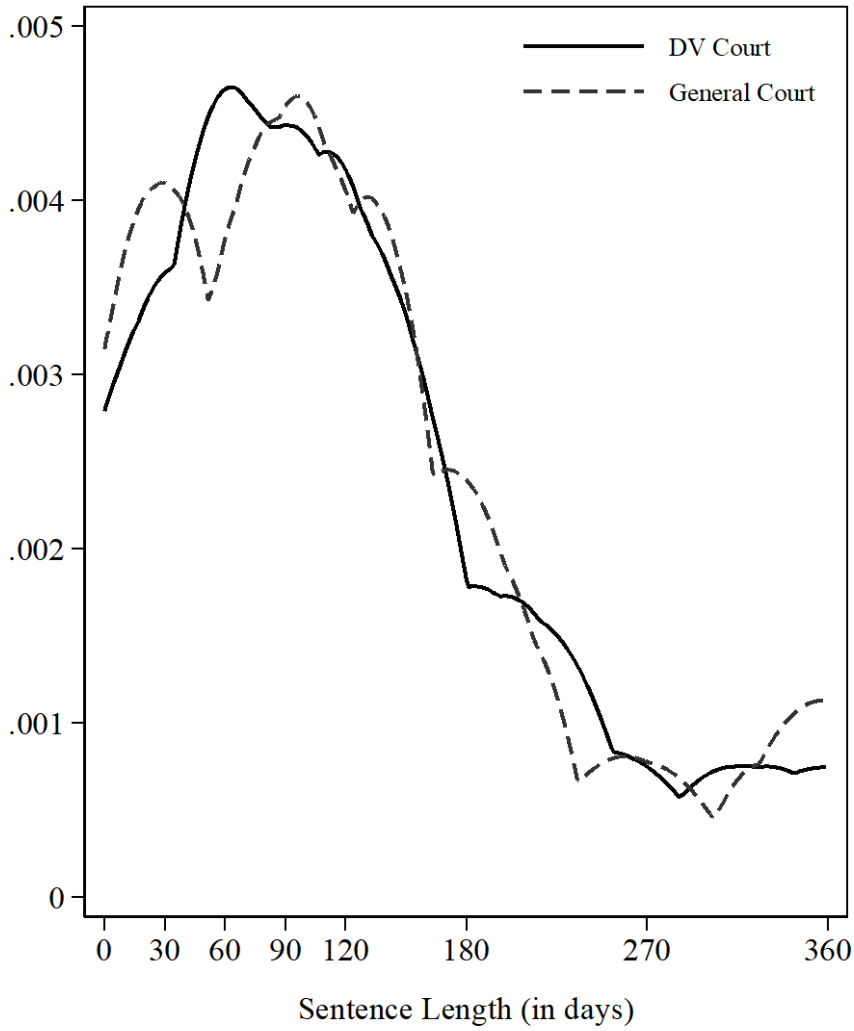
Figure 2: Total Number of Cases Heard



On average, 17.7% of DV cases in the jail docket are heard by DV courts.

Note: This figure presents the number of DV cases heard in Nashville between 2000 and 2006, as well as the number of the cases heard by DV courts. During our sample, a total of 12 judges ran 11 different courts. Consistent with jail docket cases being assigned to DV courts arbitrarily, on average, the two DV courts hear about 18% of jail docket DV cases in any given month.

Figure 3: Distribution of Incarceration Time



Kernel Density Estimates (Conditional on Conviction)
DV Courts avg. = 118.0 and General Courts avg. = 121.3.

Note: This figure plots the distribution of observed sentences for charges in our sample, conditional on conviction. DV courts frequently assign short sentences, but the overall distribution is similar across courtroom types.

Figure 4:

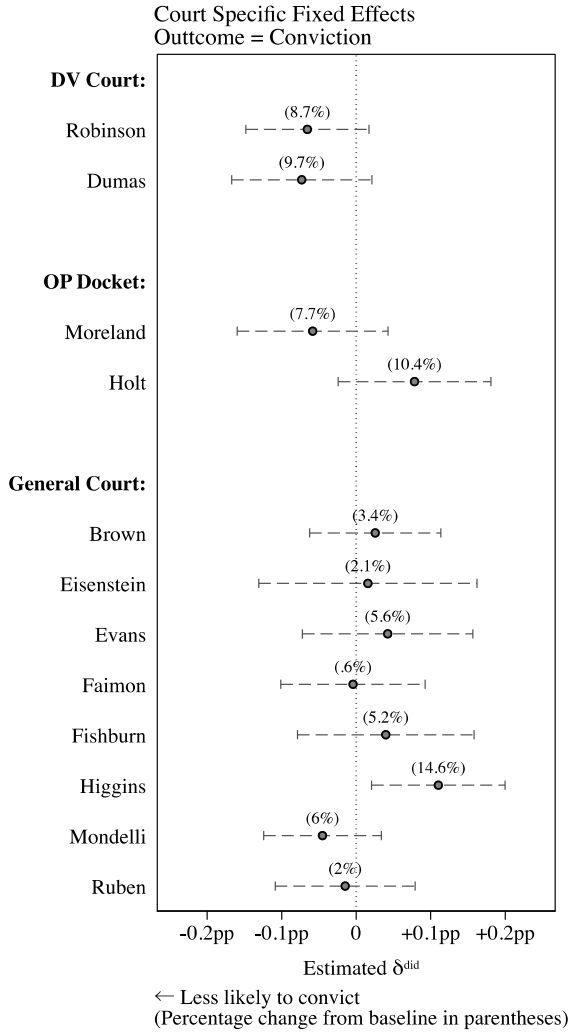


Fig 4.A

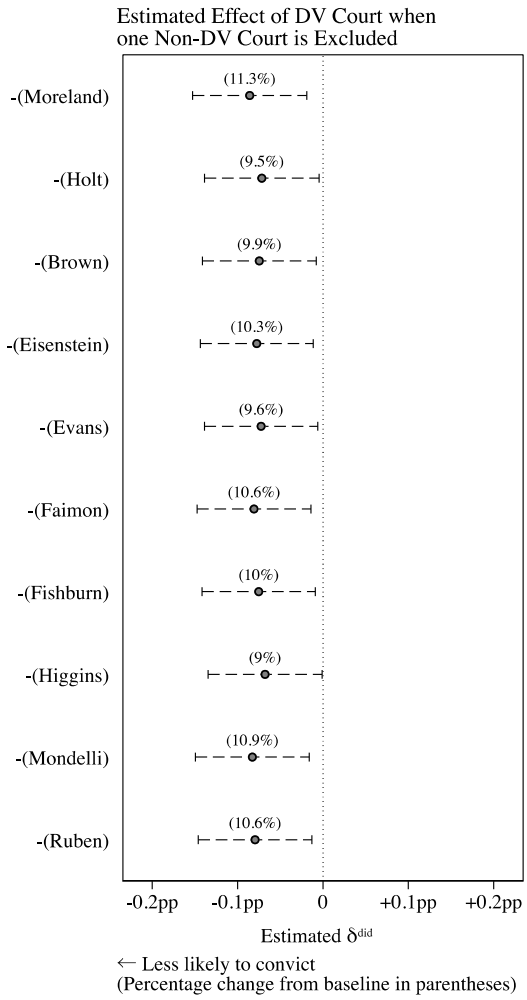


Fig 4.B

Note: Fig 4.A shows conviction rates in DV courts by estimating 12 models, each identifying a separate fixed effect for each judge relative to all others. We indicate both the estimated fixed effect with a circle, and 95% confidence interval with dashed line. For each court, we estimate a difference-in-differences model (δ^{dd}) from the following equation:

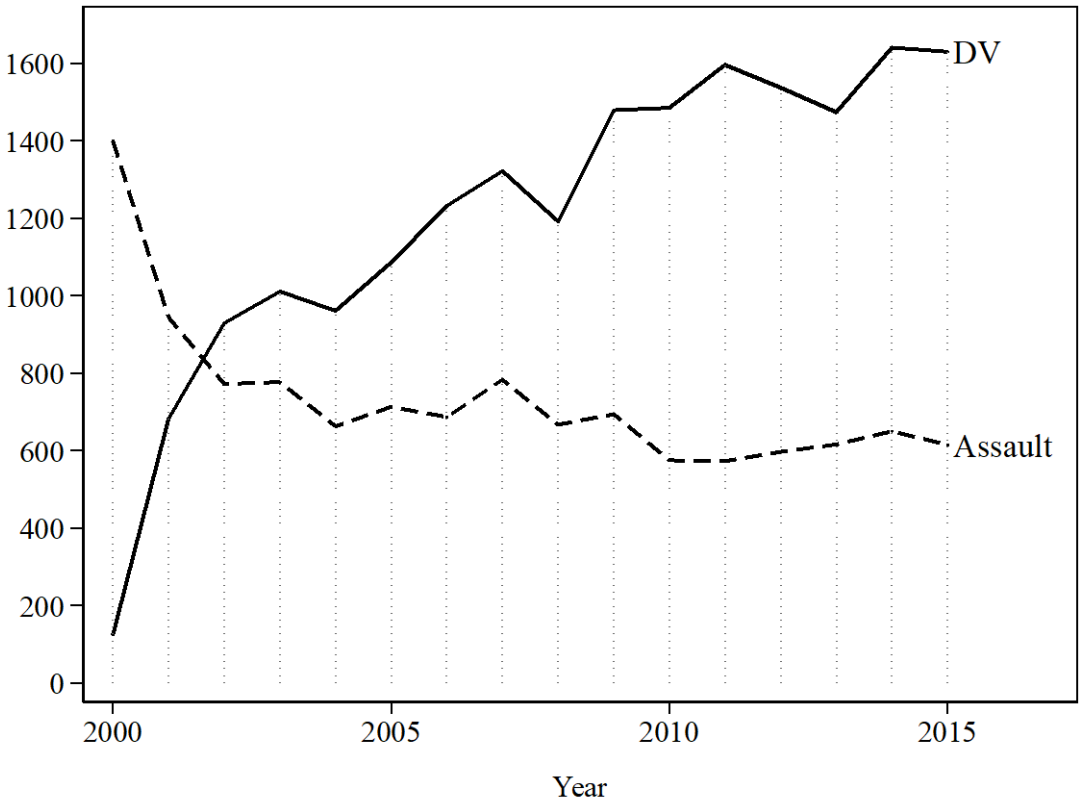
$$Conviction_{icjt} = \alpha_0 + \alpha_1(court)_j + \alpha_2(DV\ Case)_c + \delta^{dd}(court \times DV\ Case)_{cj} + \lambda_t + u_{icjt}$$

Fig 4.B plots the estimated coefficient on the effects of DV courts when one non-DV judge (i.e., court) is excluded. Each reported coefficient (δ^{dd}) is estimated using Equation (3):

$$Y_{icjt} = \alpha_0 + \alpha_1(DV\ court)_j + \alpha_2(DV\ Case)_c + \delta^{dd}(DV\ court \times DV\ Case)_{cj} + \lambda_t + u_{icjt}.$$

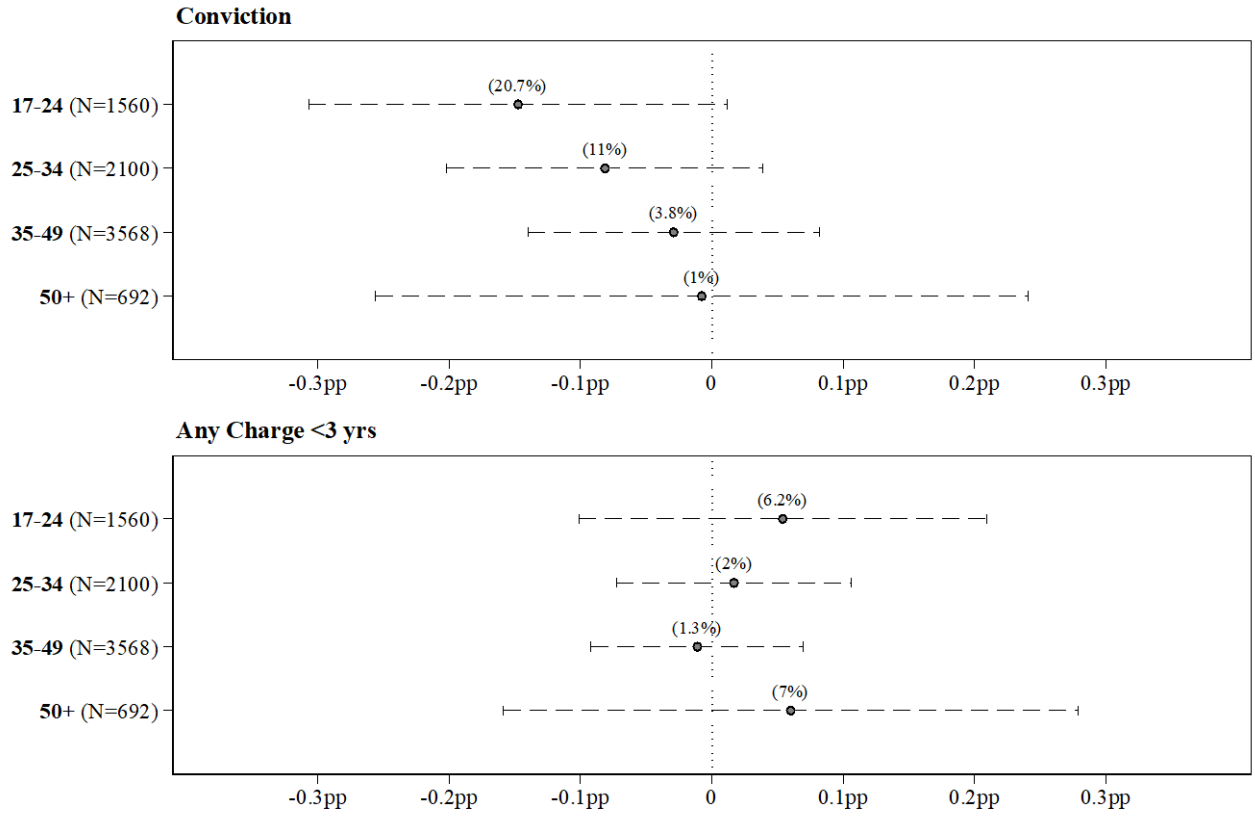
Percentage changes from the baseline are in parentheses.

Figure 5: Total Number of DV and Assault Cases Filed in the GS Court



Note: This figure shows the frequency with general assault and domestic assault charges are filed in court and shows striking evidence that these two charges may be used to describe the same criminal act and may be used interchangeably or substituted for one another – though this practice declines overtime as the legal change is normalized in the criminal justice system.

Figure 6: Estimated Effect of DV court by Defendants' Age



Note: Figure 6 plots the estimated coefficient on the effects of DV courts for defendants from different age. Each reported coefficient (δ^{dd}) is estimated using Equation (3). Percentage changes from the baseline are in parentheses.

Tables

Table 1: Testing Randomness of Assignment to DV Court for DV Cases and All Other Cases

Panel A: *DV Cases (N = 1,445)*

Defendant Characteristics	General Court Unconditional Mean	DV Court Predicted Value	*p*-value
White Defendant	0.428	0.434	(0.86)
Age at Arrest	34.611	36.094	(0.03)
Days from Arrest to Court	6.227	6.251	(0.89)
# of Charges for Current Case	1.391	1.433	(0.38)
=1 if Ever Appeared in Court Previously	0.839	0.873	(0.18)
# of Previous Court Appearances	7.058	8.129	(0.07)
=1 if Appeared in Court Previously for DV	0.245	0.226	(0.49)
=1 if Appeared in Court Previously for Assault	0.558	0.603	(0.16)
=1 if Arrest Record Found	0.942	0.952	(0.52)
N	1,193	252	
F-test of joint significance (p-value)			1.02 (0.42)

Panel B: *All Other Cases (N = 6,474)*

Defendant Characteristics	General Court Unconditional Mean	DV Court Predicted Value	*p*-value
White Defendant	0.404	0.397	(0.63)
Age at Arrest	36.006	36.435	(0.26)
Days from Arrest to Court	5.383	5.398	(0.86)
# of Charges for Current Case	1.607	1.594	(0.67)
=1 if Ever Appeared in Court Previously	0.847	0.865	(0.16)
# of Previous Court Appearances	10.695	11.215	(0.34)
=1 if Appeared in Court Previously for DV	0.024	0.017	(0.11)
=1 if Appeared in Court Previously for Assault	0.266	0.270	(0.81)
=1 if Arrest Record Found	0.915	0.930	(0.12)
N	5,325	1,149	
F-test of joint significance (p-value)			1.00 (0.44)

Note: The coefficients are estimated using equation (1):

$$x_{it} = \pi_0 + \pi_1 (DV\ Court)_j + \lambda_t + \mu_{it}$$

The first column reports unconditional mean of covariates (x_{it}) for the defendants in front of General courts. 2nd column is the predicted value from a regression of the characteristics on the indicator that the court is specialized, controlling for year and week fixed effects ($x_{it} + \pi_1$). The *p*-values, the significance of the indicator variable, are in parentheses. Standard errors are clustered to adjust for arbitrary correlation in outcomes within defendant and case week.

Table 2: How are DV Cases Processed in DV Court?

Panel A: *DV Cases*

	(1)	(2)	(3)	(4)	(5)	(6)
	All Charges Dismissed		**Plea Bargain**		**Bench Trial**	
DV Court	0.027	0.038	-0.080*	-0.105**	0.053**	0.066***
	(0.034)	(0.036)	(0.036)	(0.038)	(0.017)	(0.017)
N	1445	1445	1445	1445	1445	1445
R^2	0.059	0.145	0.053	0.131	0.066	0.078
Controls		X		X		X
Y Mean	0.441		0.496		0.0637	

Panel B: *DV Cases vs All Other Cases*

	(1)	(2)	(3)	(4)	(5)	(6)
	All Charges Dismissed		**Plea Bargain**		**Bench Trial**	
DV Case × DV Court	0.041	0.041	-0.068+	-0.068+	0.027	0.027
	(0.037)	(0.035)	(0.037)	(0.035)	(0.021)	(0.021)
DV Case	0.255***	0.228***	-0.302***	-0.275***	0.047***	0.047***
	(0.017)	(0.017)	(0.017)	(0.016)	(0.007)	(0.008)
DV Court	0.009	0.014	-0.025	-0.033+	0.016**	0.019***
	(0.019)	(0.018)	(0.018)	(0.018)	(0.005)	(0.005)
N	7920	7920	7920	7920	7920	7920
R^2	0.071	0.112	0.093	0.128	0.036	0.039
Controls		X		X		X
Y Mean	0.226		0.752		0.0220	

Note: Panel A uses a sample that consists of all cases that included a DV assault charge. Panel A reports β_1 from: $Y_{icjt} = \beta_0 + \beta_1(DV\ Court)_j + \lambda_t + u_{icjt}$. Panel B uses compares these DV cases with all other cases that are not DV. Panel B reports $\delta^{dd}, \alpha_2, and\ \alpha_1$ from Equation 3: $Y_{icjt} = \alpha_0 + \alpha_1(DV\ Court)_j + \alpha_2(DV\ Case)_c + \delta^{dd}(DV\ Court \times DV\ Case)_{cj} + \lambda_t + u_{icjt}$. All models include week and year fixed effects, and even-numbered columns include controls for individual characteristic (race and age) and criminal history (whether defendant is previously charged and the number of previous charges) and judge characteristics (gender and experience). Standard errors are clustered to adjust for arbitrary correlation in outcomes within defendant and case week. Significant at + 10%, * 5%, ** 1%, and *** 0.1% levels.

Table 3: Do DV Judges Make Different Decisions in DV Cases?

Panel A: *DV Cases*

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Convicted		**# of Convictions**		**Incarcerated**		**Max Sentence Length**	
DV Court	-0.063+	-0.079*	-0.090+	-0.137**	-0.033	-0.050	-8.854	-10.741+
	(0.034)	(0.035)	(0.054)	(0.046)	(0.034)	(0.035)	(5.879)	(6.071)
N	1445	1445	1445	1445	1445	1445	1445	1445
R^2	0.056	0.160	0.057	0.469	0.060	0.150	0.060	0.103
Controls		X		X		X		X
Y Mean	0.516		0.683		0.483		62.80	

Panel B: *DV Cases vs All Other Cases*

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Convicted		**# of Convictions**		**Incarcerated**		**Max Sentence Length**	
DV Case × DV Court	-0.076*	-0.077*	-0.135*	-0.133**	-0.101*	-0.102*	-14.373*	-14.288*
	(0.035)	(0.033)	(0.057)	(0.044)	(0.043)	(0.041)	(6.612)	(6.563)
DV Case	-0.281***	-0.253***	-0.463***	-0.307***	-0.152***	-0.116***	41.290***	42.006***
	(0.016)	(0.016)	(0.029)	(0.022)	(0.017)	(0.017)	(3.151)	(3.192)
DV Court	-0.009	-0.015	-0.005	-0.005	0.042+	0.044+	2.416	1.490
	(0.019)	(0.018)	(0.039)	(0.031)	(0.025)	(0.025)	(2.577)	(2.770)
N	7920	7920	7920	7920	7920	7920	7920	7920
R^2	0.082	0.127	0.062	0.464	0.046	0.110	0.064	0.083
Controls		X		X		X		X
Y Mean	0.756		1.079		0.625		31.68	

Note: Panel A uses a sample that consists of all cases that included a DV assault charge. Panel A reports β_1 from Equation (2): $Y_{icjt} = \beta_0 + \beta_1(DV\ Court)_j + \lambda_t + u_{icjt}$. Panel B uses compares these DV cases with all other cases that are not DV related. Panel B reports $\delta^{dd}, \alpha_2, and\ \alpha_1$ from Equation (3): $Y_{icjt} = \alpha_0 + \alpha_1(DV\ Court)_j + \alpha_2(DV\ Case)_c + \delta^{dd}(DV\ Court \times DV\ Case)_{cj} + \lambda_t + u_{icjt}$. Even-numbered columns include controls for individual characteristic (race and age) criminal history (whether defendant is previously charged and the number of previous charges) and judge characteristics (gender and experience). Standard errors are clustered to adjust for arbitrary correlation in outcomes within defendant and case week. Estimated coefficients for conditional incarceration and sentence length are reported in Table A4. Significant at + 10%, * 5%, ** 1%, and *** 0.1% level

Table 4: Do DV Judges Make Different Decisions in Violations of an Order of Protection (VOP) Cases?

Panel A*: VOP Cases*

	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
	Convicted		**# of Convictions**		**Incarcerated**		**Max Sentence Length**	
DV Court	0.080	0.063	0.128+	0.104	0.129*	0.107+	20.726*	15.167+
	(0.050)	(0.056)	(0.076)	(0.077)	(0.053)	(0.059)	(9.440)	(9.124)
N	550	550	550	550	550	550	550	550
R^2	0.117	0.129	0.127	0.404	0.149	0.166	0.138	0.203
Controls		X		X		X		X
Y Mean	0.769		0.909		0.695		23.01	

Panel B*: VOP Cases vs All Other Cases*

	(1)	(2)	(1)	(2)	(1)	(2)	(1)	(2)
	Convicted		**# of Convictions**		**Incarcerated**		**Max Sentence Length**	
DV Case × DV Court	0.079	0.080	0.126+	0.090	0.055	0.058	13.062+	12.396
	(0.049)	(0.050)	(0.074)	(0.069)	(0.054)	(0.055)	(7.873)	(7.882)
DV Case	-0.048*	-0.011	-0.280***	-0.068*	0.027	0.072**	-3.868	-1.753
	(0.024)	(0.024)	(0.038)	(0.033)	(0.025)	(0.026)	(2.665)	(2.723)
DV Court	-0.012	-0.016	-0.013	-0.001	0.039	0.043+	1.485	0.483
	(0.019)	(0.019)	(0.039)	(0.032)	(0.025)	(0.025)	(2.355)	(2.612)
N	7064	7064	7064	7064	7064	7064	7064	7064
R^2	0.013	0.042	0.020	0.392	0.030	0.080	0.016	0.032
Controls		X		X		X		X
Y Mean	0.802		1.141		0.655		24.44	

Note: This table replicates Table 3 using cases that involved at least one charge for VOP. Panel A reports β_1 from Equation (2):$Y_{icjt} = \beta_0 + \beta_1(DV\ Court)_j + \lambda_t + u_{icjt}$. Panel B compares these VOP cases with all other cases that are not DV related. Panel B reports $\delta^{dd}, \alpha_2, and\ \alpha_1$ from Equation (3): $Y_{icjt} = \alpha_0 + \alpha_1(DV\ Court)_j + \alpha_2(VOP\ Case)_c + \delta^{dd}(DV\ Court \times VOP\ Case)_{cj} + \lambda_t + u_{icjt}$. Even-numbered columns include controls for individual characteristic (race and age) criminal history (whether defendant is previously charged and the number of previous charges) and judge characteristics (gender and experience). Standard errors are clustered to adjust for arbitrary correlation in outcomes within defendant and case week. Significant at + 10%, * 5%, ** 1%, and *** 0.1% level.

Table 5: Do DV Judges Make Different Decisions in Assault Cases?

Panel A: *DV and General Assault Cases*

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Convicted		**# of Convictions**		**Incarcerated**		**Max Sentence Length**	
DV Court	-0.036	-0.048*	-0.041	-0.109**	-0.012	-0.025	-0.383	-1.395
	(0.024)	(0.024)	(0.058)	(0.040)	(0.025)	(0.026)	(4.324)	(4.604)
N	2863	2863	2863	2863	2863	2863	2863	2863
R^2	0.025	0.161	0.033	0.531	0.031	0.152	0.035	0.049
Controls		X		X		X		X
Y Mean	0.605		0.983		0.569		56.67	

Panel B*: DV and General Assault Cases vs All Other*

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	Convicted		**# of Convictions**		**Incarcerated**		**Max Sentence Length**	
Assault Case × DV Court	-0.037	-0.037	-0.080	-0.088*	-0.065*	-0.064*	-5.504	-5.547
	(0.025)	(0.023)	(0.062)	(0.041)	(0.031)	(0.029)	(5.009)	(5.032)
Assault Case	-0.194***	-0.195***	-0.167***	-0.218***	-0.079***	-0.078***	33.970***	32.781***
	(0.012)	(0.012)	(0.026)	(0.018)	(0.013)	(0.013)	(2.297)	(2.292)
DV Court	-0.010	-0.014	0.000	-0.005	0.042+	0.044+	2.502	1.614
	(0.019)	(0.018)	(0.040)	(0.032)	(0.025)	(0.025)	(2.578)	(2.719)
N	9375	9375	9375	9375	9375	9375	9375	9375
R^2	0.054	0.110	0.021	0.446	0.028	0.098	0.060	0.071
Controls		X		X		X		X
Y Mean	0.744		1.106		0.627		34.37	

Note: This table replicates Table 3 where we define DV as a case that includes a DV or general assault charge. Panel A reports β_1 from Equation (2). Panel B uses compares these cases with all other cases that are not DV related. Panel B reports $\delta^{dd}, \alpha_2, and\ \alpha_1$ from Equation (3) Even columns include controls for individual characteristic (race, age, and age squared) and criminal history (whether defendant is previously charged and the number of previous charges) and judge characteristics (gender and experience). Standard errors are clustered to adjust for arbitrary correlation in outcomes within defendant and case week. Significant at + 10%, * 5%, ** 1%, and *** 0.1% level.

Table 6: Who is Convicted in DV Court?

Panel A: *DV Cases*

Defendant Characteristics	**Convicted** (N = 745) General Court Mean	DV Court Predicted Value	*p*-value	**Not Convicted** (N = 700) General Court Mean	DV Court Predicted Value	*p*-value
White defendant	0.435	0.447	(0.81)	0.421	0.429	(0.88)
Age at arrest	34.366	36.866	(0.02)	34.89	35.437	(0.57)
Days from Arrest to Court	5.787	5.927	(0.58)	6.719	6.659	(0.82)
# of charges for current case	1.625	1.749	(0.19)	1.125	1.161	(0.37)
=1 if appeared in court previously	0.866	0.913	(0.18)	0.808	0.839	(0.41)
# of prior court appearances	7.272	9.543	(0.00)	6.814	7.149	(0.63)
=1 if appeared in court previously for DV	0.26	0.281	(0.62)	0.228	0.185	(0.25)
=1 if appeared in court previously for assault	0.602	0.666	(0.19)	0.509	0.556	(0.34)
N	635	110		929	228	
F-test of joint significance (p-value)			1.60 (0.12)			0.66 (0.72)

Panel B*: All Other Cases*

Defendant Characteristics	**Convicted** (N = 5,241) General Court Mean	DV Court Predicted Value	*p*-value	**Not Convicted** (N = 1,232) General Court Mean	DV Court Predicted Value	*p*-value
White defendant	0.391	0.405	(0.46)	0.46	0.358	(0.01)
Age at arrest	36.325	36.832	(0.21)	34.618	34.759	(0.88)
Days from Arrest to Court	5.282	5.297	(0.87)	5.805	5.911	(0.57)
# of charges for current case	1.666	1.665	(0.98)	1.348	1.334	(0.74)
=1 if appeared in court previously	0.867	0.879	(0.39)	0.762	0.803	(0.20)
# of prior court appearances	11.432	12.081	(0.28)	7.47	8.145	(0.38)
=1 if appeared in court previously for DV	0.023	0.017	(0.25)	0.029	0.02	(0.44)
=1 if appeared in court previously for assault	0.275	0.281	(0.73)	0.227	0.228	(0.98)
N	4334	907		990	242	
F-test of joint significance (p-value)			0.48 (0.87)			1.34 (0.22)

Note: The regressions are estimated on the sample as described in the notes to Table 1. See Table 1 for notes.

Table 7: Does DV Court Reduce Re-Victimization?

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	Incident		**Assault Incident**		**Arrest Made**		**Refused to Coop**		**Refused to Coop | Incident**	
DV Court	-0.118**	-0.098*	-0.125**	-0.113*	-0.010	-0.018	-0.047*	-0.056**	-0.058+	-0.077*
	(0.043)	(0.043)	(0.044)	(0.044)	(0.040)	(0.045)	(0.019)	(0.021)	(0.032)	(0.038)
N	836	836	836	836	836	836	836	836	446	446
R^2	0.094	0.246	0.090	0.215	0.068	0.108	0.115	0.141	0.255	0.266
Controls		X		X		X		X		X
Y Mean	0.530		0.462		0.179		0.068		0.128	

Note: The outcome in columns 1 and 2 is an indicator talking the value of one if a person is subsequently victimized, officers have been called, and an incident report has been filled for a new crime within three years after case disposition. The outcome in columns 3 and 4 is an indicator talking the value of one if a person is subsequently victimized, officers have been called, and an incident report has been filled for a new assault after case disposition. The outcome in column 5 and 6 is an indicator taking the value of one if a victim is involved in an incident for which an arrest was made. The outcome in columns 7 and 8 is an indicator taking value of one if a person is refused to cooperate in an incident report, and columns 9 and 10 limit the sample to victims with at least one incident. Even numbered columns include controls for victim's age, whether victim previously filed a report where an arrest was made, and judge characteristics (gender and experience). Standard errors are clustered to adjust for arbitrary correlation in outcomes within victim and case week. Significant at + 10%, * 5%, ** 1%, and *** 0.1% levels.

Table 8: Does DV Court Reduce Future Criminal Justice Contact for Defendants?

Panel A: *DV Cases*

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
	DV		**Assault**		**Any Crime**		**Felony DV**
	Any Arrest	**Any Charge**	**Any Arrest**	**Any Charge**	**Any Arrest**	**Any Charge**	**Any Charge**
DV Court	-0.028	-0.021	-0.064+	-0.052	-0.025	0.004	-0.013
	(0.031)	(0.036)	(0.035)	(0.035)	(0.039)	(0.027)	(0.035)
N	1409	1445	1409	1445	1409	1445	1445
R^2	0.068	0.062	0.058	0.060	0.074	0.123	0.086
Y Mean	0.169	0.345	0.248	0.475	0.417	0.803	0.349

Panel B: *DV Cases vs All Other*

	(1)	(2)	(3)	(4)	(5)	(6)	(7)
	DV		**Assault**		**Any Crime**		**Felony DV**
	Any Arrest	**Any Charge**	**Any Arrest**	**Any Charge**	**Any Arrest**	**Any Charge**	**Any Charge**
DV Case × DV Court	0.022	0.008	-0.031	-0.033	-0.002	0.011	-0.037
	(0.031)	(0.033)	(0.034)	(0.037)	(0.036)	(0.028)	(0.035)
DV Case	0.096***	0.018***	0.103***	0.147***	-0.050**	-0.077***	0.026
	(0.011)	(0.016)	(0.015)	(0.018)	(0.018)	(0.013)	(0.017)
DV Court	-0.017*	-0.003	-0.004	0.054	-0.001	-0.089	0.019
	(0.008)	(0.057)	(0.012)	(0.082)	(0.017)	(0.110)	(0.017)
N	7817	7920	7817	7920	7817	7920	7920
R^2	0.048	0.091	0.031	0.047	0.073	0.092	0.053
Y Mean	0.0720	0.158	0.163	0.344	0.483	0.865	0.328

Note: Outcome = 1 if a person is subsequently arrested by the Metropolitan Nashville Police, or arrested by any law enforcement agency and charged in the Davidson County General Sessions Court with a new crime, defined in column headings, within 3 years of initial case disposition. Cases that involve defendants who were never arrested by the Metropolitan Nashville Police, or have no OCA numbers, are excluded from odd numbered columns. Panel A uses a sample that consists of all initial charges that were filed with a DV charge for a defendant in a given court hearing. Panel A reports β_1 from Equation (2). Panel B uses compares DV cases with all other cases that are not DV. Panel B reports $\delta^{dd}, \alpha_2, and\ \alpha_1$ from Equation (3). All models include controls for individual characteristic (race and age) and criminal history (whether defendant is previously charged and the number of previous charges) and judge characteristics (gender and experience). Standard errors are clustered to adjust for arbitrary correlation in outcomes within defendant and case week. Significant at + 10%, * 5%, ** 1%, and *** 0.1% level

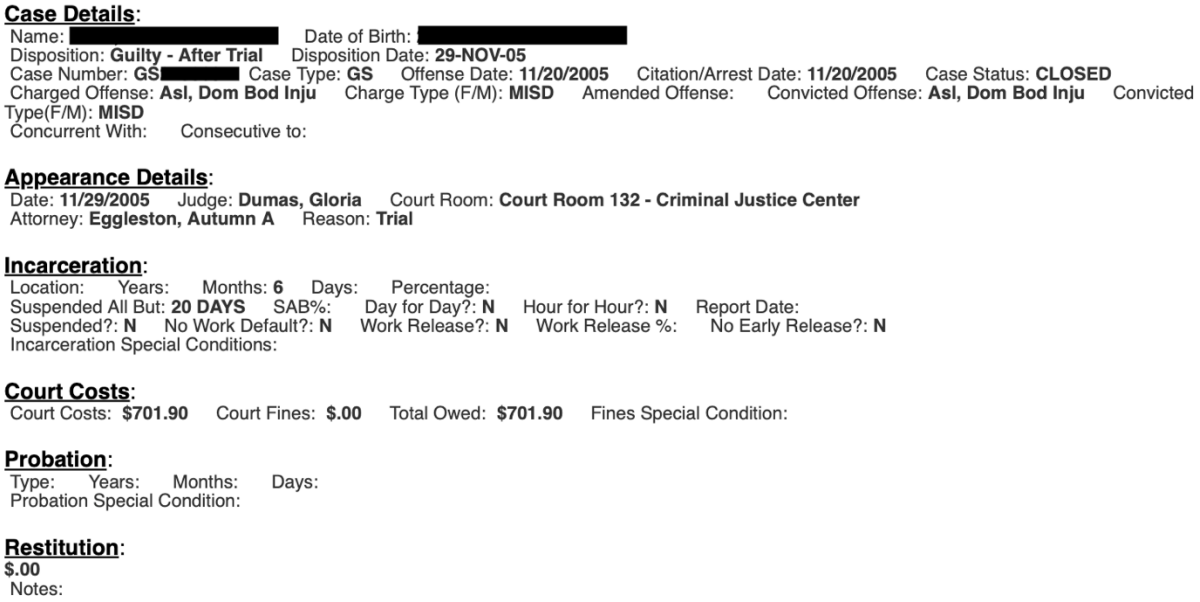
Table 9: Post Case Outcomes, by Court Assignment and Prosecutorial Dismissal

	Dismissed by Prosecutor	Appeared in Court	*p*-value
Panel A: Victims			
General Court			
Any Incident	0.55	0.54	(0.72)
Any Arrest	0.19	0.17	(0.46)
Refused to Coop	0.08	0.08	(0.98)
Refused to Coop | Incident	0.14	0.14	(0.83)
DV Court			
Any Incident	0.57	0.35	(0.01)
Any Arrest	0.25	0.11	(0.04)
Refused to Coop	0.03	0.02	(0.57)
Refused to Coop | Incident	0.06	0.04	(0.79)
Panel B: Defendants			
General Court			
Any DV Charge	0.21	0.15	(0.00)
Any Assault Charge	0.41	0.32	(0.00)
Any Charge	0.85	0.87	(0.13)
DV Court			
Any DV Charge	0.21	0.13	(0.00)
Any Assault Charge	0.39	0.34	(0.09)
Any Charge	0.87	0.88	(0.59)

Note: In Panel A, Incident <3 yrs is an indicator talking the value of one if a person is subsequently victimized, officers have been called, and an incident report has been filled for a new crime after case disposition. Warrant < 3 yrs is an indicator talking the value of one if there is a subsequent police record for which an arrest is made. Refused to Coop <3 yrs is an indicator taking value of one if a person is refused to cooperate with the law enforcement in the next time a person is victimized. In Panel B, Outcome = 1 if a person is subsequently appeared in court for a new crime, defined in column headings, within 3 years of initial case disposition. Table 9 reports the mean of each outcome in a case that is entirely dismissed vs a case that is not dismissed.

Appendix

Figure A1: Screenshot of web-scraped data



Case Details:
Name: [redacted] Date of Birth: [redacted]
Disposition: **Guilty - After Trial** Disposition Date: **29-NOV-05**
Case Number: **GS[redacted]** Case Type: **GS** Offense Date: **11/20/2005** Citation/Arrest Date: **11/20/2005** Case Status: **CLOSED**
Charged Offense: **Asl, Dom Bod Inju** Charge Type (F/M): **MISD** Amended Offense: Convicted Offense: **Asl, Dom Bod Inju** Convicted Type(F/M): **MISD**
Concurrent With: Consecutive to:

Appearance Details:
Date: **11/29/2005** Judge: **Dumas, Gloria** Court Room: **Court Room 132 - Criminal Justice Center**
Attorney: **Eggleston, Autumn A** Reason: **Trial**

Incarceration:
Location: Years: Months: **6** Days: Percentage:
Suspended All But: **20 DAYS** SAB%: Day for Day?: **N** Hour for Hour?: **N** Report Date:
Suspended?: **N** No Work Default?: **N** Work Release?: **N** Work Release %: No Early Release?: **N**
Incarceration Special Conditions:

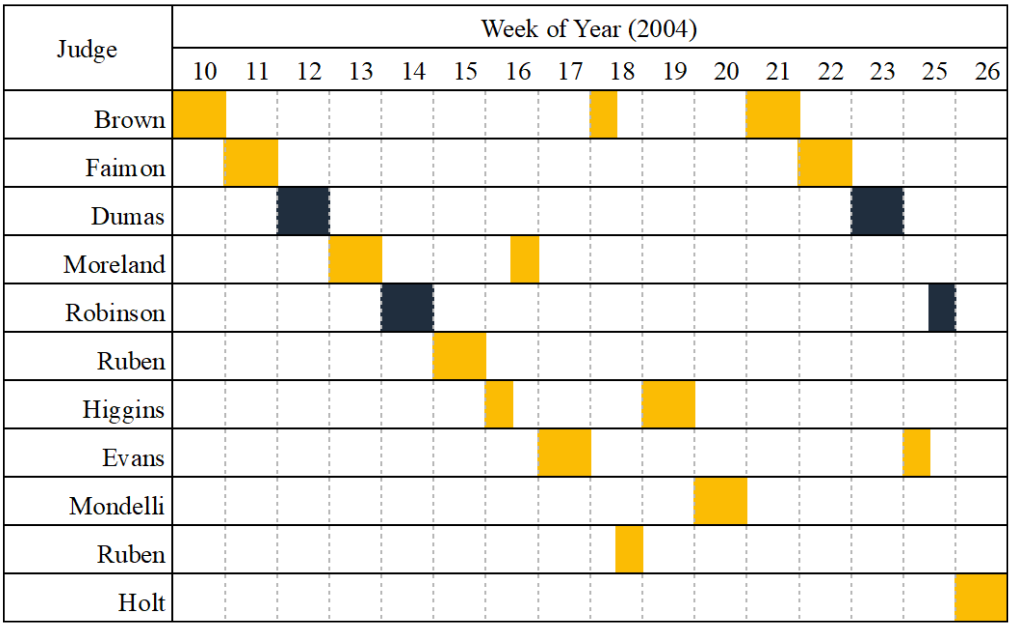
Court Costs:
Court Costs: **$701.90** Court Fines: **$.00** Total Owed: **$701.90** Fines Special Condition:

Probation:
Type: Years: Months: Days:
Probation Special Condition:

Restitution:
$.00
Notes:

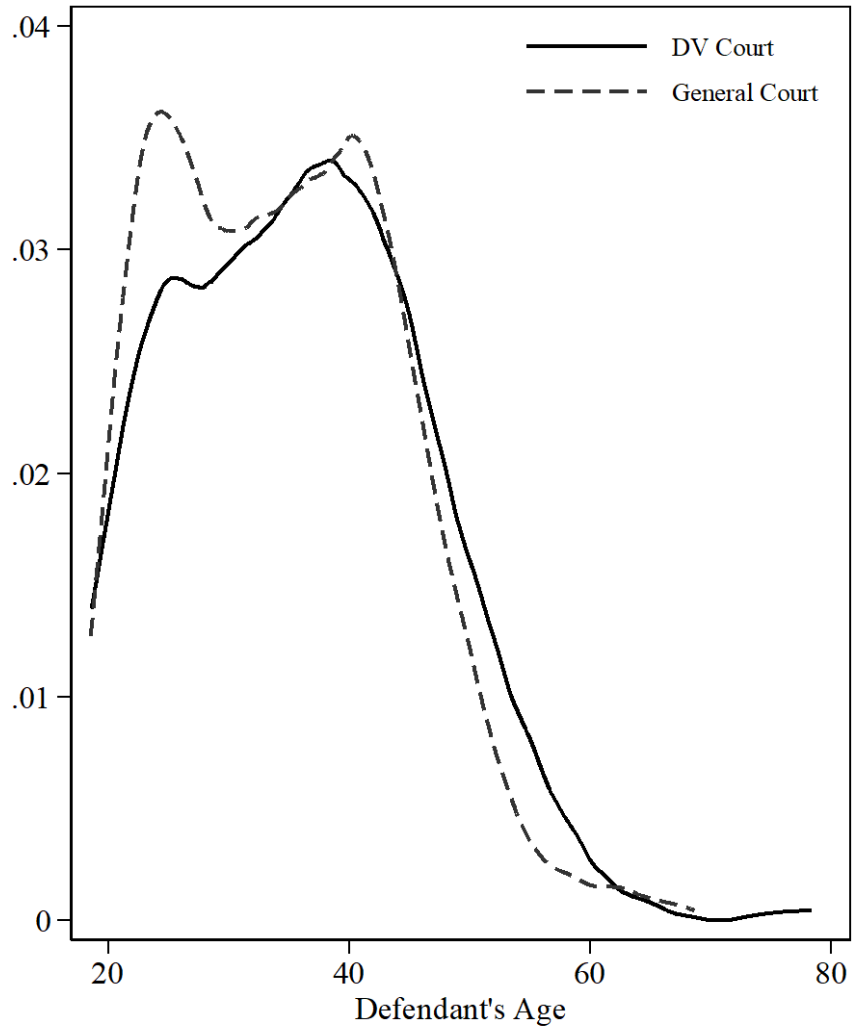
Note: This figure provides an example screenshot of data prior to web scraping. The data is web-scraped from the Metropolitan Nashville and Davidson County Criminal Court system and structured as one observation per case (or charge, depending on specification) filed in Nashville from 2000 to 2018.

Figure A2: Example of Judge Rotation in Year 2004



Note: This figure shows the rotation for part of 2004. The GS Judges rotate through the jail docket on a pre-determined schedule, and they each preside over the jail docket for a one week period. Defendants will be assigned to a Judge based solely on their arrest day and time; not on the Judge's specialization, or any court history they may have with the defendant. Selection into a particular judge would have only be possible if a defendant timed their offenses and/ or if police officers timed arrests with a particular judge's schedule. The incentive to doing this is also reduced due to the high probability of a continuance, and if continued, there is a strong possibility the case would simply be placed on the next week's (or next judge's) docket.

Figure A3: Distribution of Defendants' Age



Kernel Density Estimates
Avg age for defendants in DV courts = 36.3 and in General courts = 35.8.

Note: This figure shows the full distribution of defendant age in specialized and non-specialized courts.

Table A1: Davidson County General Sessions Judges

Judge	Division		Gender	Race	Term Began	# of Cases (Avg Conviction Rate in parentheses)			
						Total	DV	VOP	DV & Assault
Judge Brown	5		M	W	1982	730 (78%)	130 (56%)	53 (79%)	251 (58%)
Judge Dumas	4	DV	F	W	1998	690 (76%)	119 (47%)	56 (86%)	269 (58%)
Judge Eisenstein	2		M	W	2004	291 (77%)	45 (53%)	9 (44%)	80 (65%)
Judge Evans	9		F	W	1996	720 (76%)	110 (55%)	49 (78%)	230 (63%)
Judge Faimon	3		M	W	1982	703 (73%)	149 (48%)	45 (67%)	299 (57%)
Judge Fishburn	2		M	W	1998	386 (77%)	86 (55%)	30 (67%)	158 (62%)
Judge Higgins	7		M	W	1980	684 (77%)	111 (62%)	48 (83%)	224 (67%)
Judge Holt	11	OP	M	W	1998	747 (75%)	119 (56%)	56 (79%)	249 (63%)
Judge Mondelli	6		M	W	1990	755 (74%)	169 (47%)	47 (72%)	330 (59%)
Judge Moreland	10	OP	M	W	1995	715 (75%)	124 (48%)	49 (84%)	228 (59%)
Judge Robinson	1	DV	M	W	1990	711 (69%)	133 (41%)	57 (77%)	256 (54%)
Judge Ruben	8		M	W	1981	788 (81%)	150 (57%)	51 (75%)	289 (66%)
Total						7920 (76%)	1445 (52%)	550 (77%)	2864 (61%)

Note: This table provides basic demographic details of the 11 General Sessions judges. Each judge is elected to an eight-year term in a division. The DV judges preside over DV courts. OP refers to two additional judges, Judge Aaron Holt and Judge Casey Moreland, were not elected DV courts but heard requests for protection orders. In our main empirical specification, we treat these judges as general GS judges, but we do explore how our estimates change if we examine each judge's decision making separately.

Table A2: Date and Time of Defendant's Arrest and Corresponding Jail Docket Date (1st Setting)

Day and Time of Arrest	**Misdemeanor Jail Docket (First Setting)**
Friday 4:01am – Saturday 4:00am	Wednesday
Saturday 4:01am – Monday 4:00am	Thursday
Monday 4:01am – Tuesday 4:00am	Friday
Tuesday 4:01am – Wednesday 4:00am	Monday
Wednesday 4:01am – Thursday 4:00am	Tuesday
Thursday 4:01am – Friday 4:00am	Wednesday

Note: This table shows how arrest days and times correspond to a defendant's first jail docket setting. If the case cannot be resolved at the first court date, the Judge may continue the case, but the case may not be set beyond the "10th Day", which is 10 days from the time of arrest. If the 10th Day falls on a weekend, the next court date would typically be the following Monday.

Table A3: Do DV Judges Make Different Decisions in DV Cases?
Incarceration and Sentence Length Conditional on Conviction

Panel A: *DV Cases*

	(1)	(2)	(3)	(4)
	Incarcerated		**Max Sentence Length**	
DV Judge	0.063**	0.055*	1.190	-0.903
	(0.020)	(0.023)	(10.468)	(10.649)
N	745	745	745	745
R^2	0.106	0.143	0.141	0.158
Controls		X		X
Y Mean	0.932		120.7	

Panel B*:* *DV Cases vs All Other*

	(1)	(2)	(3)	(4)
	Incarcerated		**Max Sentence Length**	
DV Case × DV Judge	-0.005	-0.011	-4.505	-5.147
	(0.028)	(0.029)	(11.487)	(11.487)
DV Case	0.125***	0.134***	92.261***	91.040***
	(0.013)	(0.014)	(4.846)	(5.004)
DV Judge	0.062**	0.072**	2.578	1.740
	(0.023)	(0.022)	(3.278)	(3.522)
N	5987	5987	5987	5987
R^2	0.061	0.090	0.183	0.188
Controls		X		X
Y Mean	0.825		41.77	

Note: This table replicates the results from Table 3. In this table, we report the estimates conditional on conviction. The regressions are estimated on the sample as described in the notes to Table 3. Significant at + 10%, * 5%, ** 1%, and *** 0.1% level.

Table A4: Does DV Court Reduce Future Criminal Contact for Defendants?
Re-Offending Conditional on Conviction

Panel A: *DV Cases*

	(1)	(2)	(3)	(4)
	Any DV Charge <3 yrs	**Any Assault Charge <3 yrs**	**Any Charge <3 yrs**	**DV-Related Felony <3 yrs**
DV Judge	-0.031	-0.049	0.052	0.005
	(0.048)	(0.048)	(0.047)	(0.055)
N	745	745	745	745
R^2	0.115	0.082	0.145	0.126
Y Mean	0.349	0.460	0.824	0.340

Panel B: *DV Cases vs All Other*

	(1)	(2)	(3)	(4)
	Any DV Charge <3 yrs	**Any Assault Charge <3 yrs**	**Any Charge <3 yrs**	**DV-Related Felony <3 yrs**
DV Case × DV Judge	0.004	-0.040	0.040	-0.032
	(0.052)	(0.057)	(0.040)	(0.052)
DV Case	0.186***	0.141***	-0.057***	0.019
	(0.022)	(0.024)	(0.017)	(0.021)
DV Judge	-0.014	0.022	-0.001	0.035+
	(0.012)	(0.019)	(0.014)	(0.019)
N	5987	5987	5987	5987
R^2	0.081	0.037	0.087	0.056
Y Mean	0.141	0.325	0.869	0.323

Note This table replicates the results from Table 9. In Table 9, the effects for future court appearances are estimated regardless of conviction. In this table, we report the conditional estimates. The regressions are estimated on the sample as described in the notes to Table 9. Significant at + 10%, * 5%, ** 1%, and *** 0.1% level.