



Prince George's County

Domestic Violence Fatality Review TEAM

2012 Report And Recommendations

EXECUTIVE SUMMARY

The Prince George's County Domestic Violence Fatality Review Team was initially convened in 2009 to review domestic violence fatalities to identify key moments in our community's service response to victims of domestic violence that, if changed, might have prevented the domestic homicide. From its case review to date, the Prince George's County Domestic Violence Fatality Review Team makes the following recommendations:

LAW ENFORCEMENT

1. All law enforcement agencies should immediately require officers to complete the Domestic Intervention - Supplemental Report or similar form for every domestic violence call for service. If the agency has no specialized unit to review the Report, the completed Report should be faxed to the Office of the Sheriff for victim follow-up services. (Appendix A)
2. Examine prosecution outcomes in District 3 (with enhanced domestic violence services) cases compared to District 4 (comparable jurisdiction without enhanced domestic violence services) and recidivism rates of domestic violence perpetrators in order to evaluate the effectiveness of the specialized domestic violence unit of the Office of the Sheriff. Howard University will conduct this study.
3. Examine victim follow-through on protective orders and criminal prosecution after contact by a domestic violence advocate from the Office of the Sheriff to examine the effectiveness of this intervention.
4. If study of these outcomes supports the specialized intervention, expand the specialized domestic violence unit of the Office of the Sheriff to all Districts in the County. If it is not economically feasible to expand this Unit to all Districts in one year, expand the Unit to a new District each year.

COURT COMMISSIONERS

1. The judiciary should provide more in-depth, regular training for all court commissioners on the dynamics of domestic violence as well as the legal requirements for the issuance of interim protective orders. Trainings should utilize training materials developed by the National Conference on Juvenile and Family Court Judges on domestic violence dynamics.
2. All applications for interim protective orders that are denied by a court commissioner should be reviewed promptly by supervisory staff as well as a member of the judiciary to insure that the proper legal standard has been applied.
3. A video in English and Spanish should be created and installed in court commissioners' offices that explain the process of applying for an interim protective order, options available to the applicant if they are denied the interim order, and community resources. Until the video is created, a flyer should be developed that explains these options in English and Spanish.

PAROLE AND PROBATION

1. Impose enhanced supervision for domestic violence/sexual assault cases. Parole and Probation agents should be notified of the entry of any protective orders or peace orders against the offender and consider the entry of such an order to be a violation of the terms of parole/probation (i.e., a violation of the "obey all laws" provision of all probation/parole orders.) This is currently done in Baltimore City.
2. Implement a policy that requires active supervision for every case involving domestic violence and sexual assault.

THE JUDICIARY

In sentencing criminal cases where a history of domestic violence or sexual assault is evident, specify in the parole/probation order that issuance of a final protective order or peace order shall be considered a violation of probation or parole.

DOMESTIC VIOLENCE AGENCIES

Domestic violence programs should establish close relationships with churches, synagogues, temples, and other faith-based communities to reach out to potential victims and abusers in the community so that resources and domestic violence education are made more available.

FAITH-BASED COMMUNITIES

Faith-based communities should provide regular domestic violence and sexual assault information and support within their services and/or study curriculums.

REPORT NARRATIVE

Background of the Fatality Review Team

The Prince George's County Domestic Violence Fatality Review Team was initially convened in 2007 following the passage of legislation that established Domestic Violence Fatality Review Teams to review domestic violence homicides. The purpose of the Team's in-depth review of domestic violence fatalities is to identify key moments in our community's service response to victims of domestic violence that, if changed, might have prevented the domestic homicide. From these findings and conclusions, the Team is tasked with making specific recommendations for improvements in our community's response to domestic violence.

The Prince George's County Domestic Violence Fatality Review Committee is comprised of a broad spectrum of service providers who are involved on a daily basis with victims or perpetrators of domestic violence. Team members include law enforcement, health care and mental health care providers, child welfare workers, prosecutors, domestic violence and sexual assault advocates, and educators. These diverse and experienced Team members brought not only their own personal knowledge and experience to the Team's deliberations, but their entire agency's knowledge and experience base as well.

The Team first established a protocol for the selection of domestic violence fatalities to study. Cases had to be post-prosecution and appeal, involve a fatality between intimates, and not involve accidental deaths. Once this case selection protocol had been established, members of the State's Attorney's Office reviewed closed cases to select a domestic violence fatality that met the Team's protocol criteria.

The Team then carefully reviewed the case file, noting important moments in the case history timeline where service providers were or were not involved with the victim or perpetrator. When a service agency was involved, a representative of that agency was invited to attend a Team meeting to review the facts of the case or to speak about their provision of service in domestic violence cases. Family members of the victim were interviewed to further expand the Team's knowledge of the victim, the perpetrator and their history as a couple and involvement with any service agencies prior to the fatality. As the Team began to draft its recommendations, additional interviews were scheduled to clarify final points.

Domestic Violence in Prince George's County

Domestic violence is a significant social problem in Prince George's County that impacts every aspect of our community. Nationally, domestic violence is reported to occur to 1 out of every 4 women, compared to 1 out of every 13 men.¹ Domestic violence frequently includes assault and battery, but all too often includes rape and other sexual assaults, and stalking. The Center for Disease Control's National Center for Injury Prevention and Control recently reported that 1 in 5 women have been raped in their lifetime, compared to 1 in 71 men raped in their lifetime.² The injuries inflicted during incidents of domestic violence are often quite serious and have long-lasting effects in the form of post-traumatic stress disorder, permanent disability, and childhood trauma.³

In Prince George's County, the occurrence of reported domestic violence incidents has risen every year statistics have been kept. From January through November 2011, there were 12,979 domestic violence calls for service to law enforcement in Prince George's County. In FY 2010, there were 10,574 protective order and peace order filings in Prince George's County's Circuit and District Courts, comprising one-fifth of the 50,363 filings statewide.⁴

Since July 1, 2004, there have been 56 domestic violence homicides in Prince George's County.⁵ Research over the past decade has demonstrated that domestic violence homicides contain common factors that can serve as predictors if identified early on.⁶ Some of those key predictors include strangulation, sexual violence, possession of a gun, unemployment of the abuser, abuse of drugs and/or alcohol by the abuser, stalking behavior, and prior attempts by the

¹ Tjaden, P., and N. Thoennes. *Full Report of the Prevalence, Incidence, and Consequences of Violence Against Women: Findings from the National Violence Against Women Survey*. U.S. Department of Justice, National Institute of Justice, and U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, November 2000, NCJ 183781.

² Center for Disease Control, National Center for Injury Prevention and Control, Division of Violence Prevention, *National Intimate Partner and Sexual Violence Survey*, available at www.cdc.gov/violenceprevention/nisvs (2011).

³ *Id.*

⁴ FY 2010 Annual Statistical Abstract, Maryland Judiciary, Circuit Court Statewide and County totals, and District Court Statewide and County Totals, available at <http://mdcourts.gov/publications/annualreport/reports/2010/annualreport.pdf>.

⁵ Maryland Network Against Domestic Violence, Domestic Violence Homicides, available at http://mnadv.org/DV_Stats/dv_stats.html.

⁶ Campbell, J. C., Glass, N. E., Sharps, P. W., Laughon, K., & Bloom, T., *Intimate Partner Homicide: Review and Implications for Research and Policy*. *Violence, Trauma & Abuse*, 8 (3), 246-269 (2007).

victim to leave the relationship.⁷ In all domestic violence homicides, 50% of the victims had previously called police, whereas only 4% of the victims had previously contacted a domestic violence program.⁸ That same research has begun to reveal that more vigorous and active interventions in domestic violence calls where these predictors exist can make a profound and radical difference: in a word, it can save lives.

The Recommendations

The recommendations of the Domestic Violence Fatality Review Team relate to only those improvements that were indicated by the case review conducted. Therefore, there has not been an attempt to develop comprehensive, system-wide recommendations – only those recommendations that the Team believed might have made a difference in any fatality reviewed. The details of the case study reviewed by the Team are required by statute to be kept confidential and therefore are not discussed in this report.

1. Law Enforcement

Law enforcement officers are usually the first responders to calls for service that involve domestic violence. All too often, however, the call for service identifies some other problem as the reason for the call, such as trespass or harassment, rather than domestic violence. It is imperative, therefore, that law enforcement officers investigate and properly identify the underlying domestic violence problem in order to respond appropriately. In order to do this, law enforcement officers need specialized training to identify domestic violence situations, interviewing alleged victims and perpetrators, and collecting evidence for possible prosecution.

Social science research over the past two decades makes clear that incidents of domestic violence decrease after effective intervention by law enforcement. Effective interventions include active investigation of the domestic violence, providing referrals to victims of community resources and services, and arrest where appropriate. Similarly, prosecution of domestic violence crimes that results in any “intrusive” consequence for the perpetrator, such as jail, a work release sentence, enhanced probation supervision, or a requirement for the perpetrator to attend an abuser intervention program, results in decreased domestic violence recidivism. Consequently, the burden rests on first responders to identify domestic violence crimes accurately and to collect evidence that best insures successful prosecutions.

Prince George’s County has a complicated patchwork of local and county-wide law enforcement entities. Currently, specialized domestic violence units operate in District 3 of the Office of the Sheriff, the Laurel Police Department, and the Bowie Police Department. Domestic violence cases in District 3 of the Office of the Sheriff, for example, are given special attention in order to increase the probability of successful prosecution. Deputies in this District complete the Domestic Intervention - Supplemental Report in all domestic violence cases, take witness statements, and pictures of injuries and property destruction. Victims are then contacted by domestic violence advocates to inform them about the criminal and civil processes and to accompany them through that process.

⁷ *Id.*

⁸ Maryland Network Against Domestic Violence website, *supra*.

It is crucial for us as a community to determine quantitatively if these enhanced services make a difference for victims in both criminal and civil outcomes. If they do, we must make the investment to make these units the standard law enforcement response, rather than the exception.

Recommendations:

1. All law enforcement agencies should immediately require officers to complete the Domestic Intervention - Supplemental Report or similar form for every domestic violence call for service. If the agency has no specialized unit to review and act upon the Report, the completed Report should be faxed to the Office of the Sheriff for victim follow-up services. (Appendix A)

2. Examine prosecution outcomes in District 3 (with enhanced domestic violence services) cases compared to District 4 (comparable jurisdiction without enhanced domestic violence services) and recidivism rates of domestic violence perpetrators in order to evaluate the effectiveness of the specialized domestic violence unit of the Office of the Sheriff. Howard University will conduct this study.

3. Examine victim follow-through on protective orders and criminal prosecution after contact by a domestic violence advocate from the Office of the Sheriff to examine the effectiveness of this intervention.

4. If study of these outcomes supports the specialized intervention, expand the specialized domestic violence unit of the Office of the Sheriff to all Districts in the County. If it is not economically feasible to expand this Unit to all Districts in one year, expand the Unit to a new District each year.

2. Court Commissioners

In 2002, legislation passed that granted court commissioners limited judicial powers to issue emergency, “interim” protective orders. Since then, the importance of court commissioners in domestic violence cases has increased exponentially. Court commissioners are now called upon to determine whether “reasonable grounds to believe abuse has occurred” and issue interim protective orders to victims with appropriate limited relief whenever the courts are closed. The offices of court commissioners are now key places where victims of domestic violence seek assistance and support early on in the battering cycle. We should take advantage of this key opportunity to reach and assist victims early on in the process.

Recommendations:

1. The judiciary should provide more in-depth, regular training for all court commissioners on the dynamics of domestic violence as well as the legal requirements for the issuance of interim protective orders. Trainings should utilize the training materials developed

by the National Conference on Juvenile and Family Court Judges concerning domestic violence and its dynamics.

2. All applications for interim protective orders that are denied by a court commissioner should be reviewed promptly by supervisory staff as well as a member of the judiciary to determine if the proper legal standard has been applied.

3. A video in English and Spanish should be created and installed in court commissioners' offices that explain the process of applying for an interim protective order, options available to the applicant if they are denied the interim order, and community resources. Until the video is created, a flyer should be developed that explains these options in English and Spanish.

3. Parole and Probation

All too often, domestic violence perpetrators move from one victim to the next. We know from research that the watchful eye of Parole and Probation serves as a proven deterrent to further abuse provided that the supervision is active and prompt.

Recommendations:

1. Impose enhanced supervision for domestic violence/sexual assault cases. Parole and Probation agents should be notified of the entry of any protective orders or peace orders against the offender and consider the entry of such an order to be a violation of the terms of parole/probation (i.e., a violation of the "obey all laws" provision of all probation/parole orders.) This is currently done in Baltimore City.

2. Implement a policy that requires active supervision for every case involving domestic violence and sexual assault.

4. The Judiciary

Recommendations:

In sentencing criminal cases where a history of domestic violence or sexual assault is evident, specify in the parole/probation order that issuance of a final protective order or peace order shall be considered a violation of probation or parole.

5. Domestic Violence Agencies and Faith-Based Communities

Many victims of domestic violence never identify themselves as victims of domestic violence. Many of these victims, however, regularly attend churches, temples or synagogues.

Domestic violence agencies must recognize that faith-based communities offer an important opportunity to reach as yet unidentified victims of domestic violence and their families.

Recommendations:

1. Domestic violence programs should establish close relationships with churches, synagogues, temples, and other faith-based communities to reach out to potential victims and abusers in the community so that resources and domestic violence education are made more available.
2. Faith-based communities should provide regular domestic violence and sexual assault information and support within their services and/or study curriculums.

MEMBER AGENCIES OF THE PRINCE GEORGE'S COUNTY
DOMESTIC VIOLENCE FATALITY REVIEW TEAM
(2007 – 2011)

Department of Health for Prince George's County
Department of Social Services for Prince George's County
Domestic Violence/Sexual Assault Center – Prince George's County
Family Crisis Center
Greenbelt Police Department
House of Ruth Maryland
Howard University
Laurel Police Department
Maryland Department of Human Resources – Child Protective Services
Maryland Department of Parole and Probation
Maryland Network Against Domestic Violence
Office of the Sheriff for Prince George's County, Maryland
Office of the State's Attorney – Prince George's County
Prince George's County Court Family Services Unit
Prince George's County Police Department