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# Domestic Violence Coordinating Council

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## 2002 ANNUAL REPORT



to

Honorable Ruth Ann Minner  
Governor, State of Delaware

Honorable E. Norman Veasey  
Chief Justice, Supreme Court  
of the State of Delaware

Members, General Assembly



# Council Members

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Front Row Left to Right: Honorable M. Jane Brady - Attorney General, Honorable Vincent J. Poppiti, Chair and Chief Judge of Family Court, Honorable Patricia M. Blevins, Vice Chair and Member, Delaware State Senate, Honorable Deborah Hudson - Member, Delaware House of Representatives, Geraldine Lewis-Loper - Member-At-Large

Back Row Left to Right: Mary W. Davis - Chairperson of Domestic Violence Task Force, Honorable Cari DeSantis - Cabinet Secretary, Honorable Henry duPont Ridgely - President Judge of Superior Court, Cynthia M. Boehmer - Member-At-Large, Honorable James L. Ford - Cabinet Secretary, Maria Picazo - Member-At-Large, Dr. Rhoslyn J. Bishoff - Appointed by the Commission on Family Law

Absent From Photo: Colonel John L. Cunningham - Appointed by Secretary of Public Safety, Dr. Matthew Hoffman - Designated by Board of Medical Practice, Honorable Lawrence M. Sullivan - Public Defender, Honorable Stanley W. Taylor - Commissioner of Adult Correction

## **DVCC Staff**

Ronald T. Keen, Executive Director  
Bridget V. Poulle, Program Manager  
Eileen Ondra, Trainer/Educator  
Maureen Querey, VAWA Planner  
Kenzel V. Messick, Senior Secretary

# -Letter from the Chairs

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**Dear Colleagues,**

Enclosed is the Annual Report from the Domestic Violence Coordinating Council (DVCC). In the eight years we have been in existence, we have made tremendous progress in coordinating services provided by government and nonprofit agencies involved in domestic violence.

As was also the case in FY2001, the DVCC was particularly active in the Fatal Incident Review process in FY2002. The Review Team met ten times and reviewed eight cases in the past fiscal year. Further, the DVCC published the first report of the findings of the Fatal Incident Review Team in the fall of 2001. The report presented a revealing portrait of the circumstances surrounding the deaths covered. It also included recommendations that were made to agencies for change and, where appropriate, what changes had been made.

Delaware remains one of the lead states nationally in fatal incident review as it is one of only several states that both conducts reviews and publishes its findings. While we are pleased with the progress we have made in improving our fatality review process, we are struck by the senseless tragedies that continue to demonstrate the need for our work.

Further, the tragedies of August 15, 2002, when Lettie Lyons was shot to death by her ex-boyfriend, and August 22, 2002, when Jennifer Griffin was shot to death by her boyfriend, stress the need for the review process to have an impact on the community.

Another area where the DVCC was particularly active in FY2001 was in reaching into the community to communicate the issues of domestic violence. This was evident in the DVCC-sponsored or coordinated trainings that generated significant follow-up work with agencies. The DVCC website, which became operational in January, 2002, is another indication of communicating the issues of domestic violence to the community.

Another significant development of the past year was the incorporation of the VAWA Senior Planner position into the staff of the DVCC. This addition provides the DVCC the opportunity to be much more completely informed of the VAWA process. Further it permits the VAWA Senior Planner, Maureen Querey, the opportunity to be more completely informed about the domestic violence community.

In FY2002, the International Association of Chiefs of Police (IACP) Model Policy on Police Officer Domestic Violence, was approved by the Delaware Police Chiefs' Council. This effort required a great deal of work by the DVCC staff, with members of the Law Enforcement Subcommittee and the Police Chiefs' Council. Now Delaware police agencies have one policy for guidance as to how to respond to incidents of domestic violence involving one of their own employees.

The DVCC carries over some projects from FY2001 including the legislation creating the Crime Victims' Ombudsman Office. The bill passed the State Senate but did not come to the floor for a vote in the House of Representatives. The bill will be introduced again in January of 2003.

The DVCC also continues to work on the issue of the impact of domestic violence on children. The Children and DV Working Group which had been an adhoc group will become a DVCC subcommittee in FY2003 and will have the formal responsibility of reporting to the DVCC.

In the upcoming year the DVCC intends to bring focus to domestic violence in dating relationships. This is an extremely important area because the attention given historically has lagged behind the attention given to domestic violence in permanent relationships. Further, dating is a critical area because it frequently involves young people and the earlier domestic violence can be addressed, the more effectively it can be satisfactorily resolved. Little reliable statistical data is available locally on dating violence. Developing a reliable data source is one of the challenges that the DVCC will face in combating the very significant issue of dating violence.

While there are many positive things to report this year, unfortunately, there were still a number of deaths due to domestic violence. We must continue to work to reduce domestic violence incidents and these tragic deaths in the coming year.

Chief Judge Vincent J. Poppiti  
Chair

Senator Patricia M. Blevins  
Vice-Chair

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## -Preface

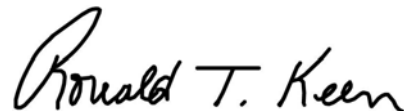
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The Domestic Violence Coordinating Council was created by legislative initiative in 1993. The full Council meets on a quarterly basis and the meetings are open to the public. Much of the work of the Council is done through its eight formal subcommittees chaired by DVCC members and through several other workgroups managed by DVCC staff. Subcommittee summaries are included in this report.

Traditionally, the Annual Report has included substantial background information on the subject of domestic violence. It also has included statewide domestic violence statistics in the criminal and civil categories and also shelter information.

In the early months of 2002, the 2001 Annual Report was included in the newly created DVCC website, [dvcc.state.de.us](http://dvcc.state.de.us). The practice will be continued this year as the 2002 Annual Report will be available on the website.



Ronald T. Keen  
Executive Director

# -Mission Statement and Goals

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***The Domestic Violence Coordinating Council has as its mission statement and goals the following:***

## **MISSION STATEMENT**

The mission of the Domestic Violence Coordinating Council is to reduce the incidence of domestic violence and abuse in all of its forms.

## **GOALS**

- To continuously study court services and procedures, law enforcement procedures and protocol, and criminal justice data collection and analysis as they relate to domestic violence.
- To effectuate coordination among agencies, departments, and the courts with victims of domestic violence and abuse.
- To promote effective prevention, intervention, and treatment techniques which will be developed based upon research and data collection.
- To recommend standards for treatment programs for perpetrators of domestic violence to the Department of Health and Social Services, Department of Services for Children, Youth, and Their Families, and the Department of Correction.
- To review and comment upon legislation relating to domestic violence introduced in the General Assembly or on its own initiative.
- To improve the response to domestic violence and abuse.



# - Introduction

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## **DEFINITION OF DOMESTIC VIOLENCE**

There is no one definition of domestic violence that applies to all incidents of family abuse. Instead, different agencies and organizations have developed different working definitions. Relevant legislation defines domestic violence differently as well. The Attorney General's Office defines family violence as follows:

*The defendant or victim in a family violence case may be male or female, child or adult, or may be of the same sex. Family violence is any criminal offense or violation involving the threat of physical injury or harm; act of physical injury; homicide; sexual contact; penetration or intercourse; property damage; intimidation; endangerment; and unlawful restraint. The victim and defendant may be family members (10 Del. C. Section 901(a))\* , ex-husband/ wife, intimate cohabitants or former intimate cohabitants, boyfriend and girlfriend or ex-boyfriend and girlfriend. Family violence shall also include specific, enumerated criminal offenses and violations in which the defendant victimizes the individual who has a relationship with the defendant's significant other.*

Delaware's Protection From Abuse Act defines domestic violence in a more limited fashion. Under this legislation, domestic violence is defined as acts of abuse between family members as defined in 10 Del. C. Section 901(9), former spouses, a man and woman living together with or without a child in common, or a man and woman living apart who have a child in common. Abuse is defined under the statute to include: causing or attempting to cause physical injury; threatening to cause physical injury; destroying property; trespassing; child abuse; unlawful imprisonment; or

certain serious emotional abuse. This definition, however, does not cover many serious domestic violence cases.

Generally, domestic violence involves parties who are related by blood, by marriage, or by some other intimate relationship. The parties can be brother and sister, parent and child, or grandparent and grandchild. But the parties may be related in many different ways, including couples who have ended their relationship, boyfriends and girlfriends, and same sex couples.

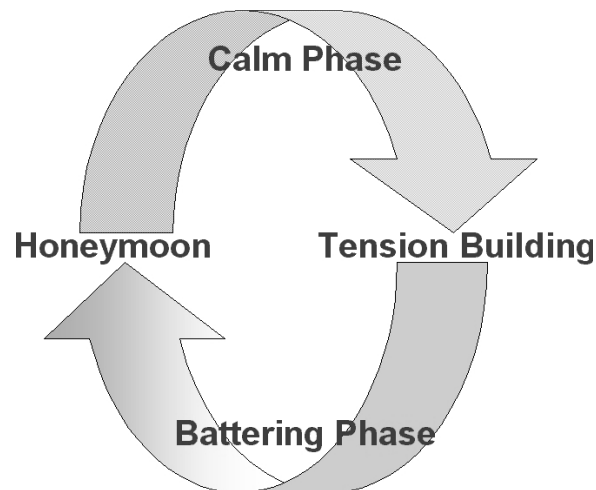
Domestic violence also includes a wide range of behaviors. Some acts of domestic violence are criminal offenses under Title 11 of the Delaware Code, such as assault, terroristic threatening, destruction of property, or sexual offenses. Other forms of domestic violence may not constitute criminal conduct, such as repeated insults and degradation, threats of suicide, or controlling access to the family's financial resources. Whether or not there has been a criminal offense, evidence of these behaviors indicates a pattern of abusive control. Even these noncriminal acts may have a devastating effect on the family.

# -Understanding Domestic Violence: \_\_\_\_\_ The Dynamics of An Abusive Relationship

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## **The Cycle Of Violence**

In her seminal work, *The Battered Woman*, Lenore Walker in 1979 described a pattern of abuse that many couples with a history of violence followed over time. This pattern is commonly referred to as the cycle of violence. Although not all abusive relationships follow this pattern, understanding the cycle of violence can help explain the unique nature of abusive relationships and eventually help in the process of ending the abuse. The cycle typically follows three primary phases:



### **A. Tension Building Stage**

In the tension building stage, minor conflicts gradually build in intensity. The perpetrator of domestic violence will begin to respond toward the victim with increasing hostility. The tension between the couple continues to increase. As the tension builds, more frequent arguments occur between the couple and there may be numerous incidents of limited violence.

## **B. Acute Battering Incident**

After the tension has risen to a level that can no longer be tolerated, there will often be an acute battering incident where the perpetrator of domestic violence explodes with rage. It is the force of this incident, in which the batterer often seems to lose all control, which distinguishes this attack from less serious incidents during the tension building stage. It is often during this stage that the batterer will cause the most serious injuries.

It is not uncommon for the severity and the frequency of the abuse to increase over time. Therefore, the seriousness of this incident will often depend upon how long the couple has been together and how often they have gone through this cycle. This incident of abuse is often followed by a short period of shock and denial. Victims of violence may, over time, come to understand on some level the cycle of violence that affects the parties.

As a result, victims may subconsciously try to provoke an acute battering incident, because the fear of the acute battering incident is so great, because the tension becomes simply unbearable, or because they hope to have some control over when the battering will occur (for example, victims may try to bring on the battering incident at times when the parties' children are not around). Also, parties may learn that once they survive an acute battering incident, they will spend some period of time in the next stage, the honeymoon stage.

## **Honeymoon Stage**

This stage is characterized by calm between the parties. The batterer may be kind and loving during this stage. The perpetrator of the domestic violence will be especially nice to the victim in an attempt to win them back. Also, the perpetrator of the violence may believe and attempt to assure the victim that the violence will not occur again. During this stage, the perpetrator may feel particularly insecure and may be most dangerous, willing to do anything to keep the victim from leaving the relationship.

Unfortunately, the honeymoon stage does not last forever. After time, tension will again begin to build and the couple will reenter the tension-building phase. At this point, the couple has begun the cycle again. For some couples, the honeymoon stage may over time disappear completely after the couple has repeatedly gone through the cycle of violence.



## **The Effects of the Cycle of Violence**

Not every couple will go through the cycle exactly as described above. Nevertheless, enough couples do experience a similar pattern to make an understanding of this cycle very important, particularly for those individuals who work with these cases. For example, many victims enter the criminal justice system immediately after an acute battering incident.

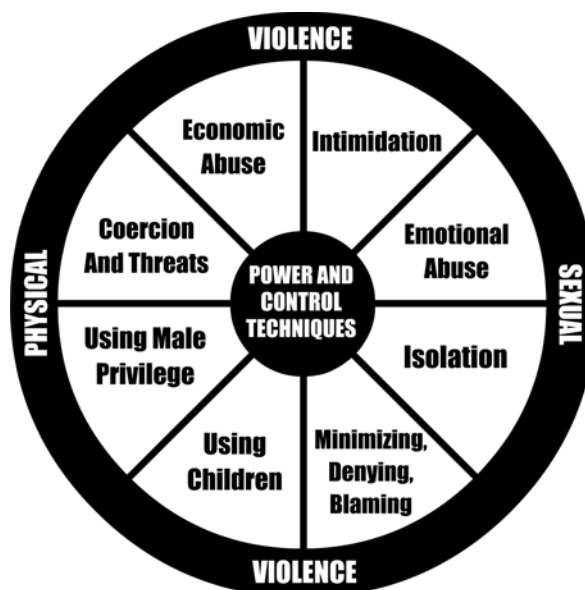
The victim has just gone through a physically and emotionally difficult experience. The victim may have been injured and deeply betrayed by the spouse or partner. Victims at this time are often described as "hysterical" - they are extremely emotional and may be unable at that time to present an organized and cohesive account of the abusive incident or incidents.

In contrast, the batterer has just gone through a long tension building stage and has had an explosive release. After the battering, the perpetrator may be very calm and collected. They may be able to clearly discuss the accusations and may seem more credible than the victim.

Unfortunately, the parties often enter the criminal justice system at the time the victim is least able to present their story and the batterer is most able to compellingly argue on their behalf. Only through an understanding of these dynamics can we hope to better get at the truth and better serve these parties.

## **Power And Control Techniques**

Perpetrators often use violence as just one means of gaining and maintaining power and control over their partners. Perpetrators of domestic violence commonly resort to a number of power and control techniques to keep their control. Once these power and control techniques begin to lose their effectiveness, then the batterer may resort to physical or sexual assaults in order to make the victim again submissive and amenable to the other power and control techniques.



The most common power and control techniques may include:

- Economic Abuse
- Coercion and Threats
- Emotional Abuse
- Intimidation
- Isolation
- Minimizing, Denying, Blaming
- Using Children

## -Domestic Violence Data

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Delaware now has four years of Domestic Violence statistics as we have the data for 2001, 2000, 1999, and 1998. A review of the State Bureau of Identification's Domestic Violence Statistics for calendar years 2001, 2000, 1999, and 1998 reveals some interesting information.

### **Domestic Violence Incidents**

In calendar year 2001 the total number of DV incidents (combined criminal and noncriminal) as reported by the State Bureau of Identification was 27,212, which was an increase of almost 4% from the 26,250 DV incidents of 2000. The total number of DV incidents for 1999 was 28,128 and the total for 1998 was 26,884. Overall, the combined DV incidents have increased a little more than 1% since 1998.

The total number of DV criminal incidents in 2001 was 17,599, which represents an increase of 11% from the 15,839 that were reported in 2000. In 1999, the total number of criminal domestic incidents was 16,480 and in 1998 it was 16,030. Overall, the total number of reported criminal domestic incidents has risen almost 10% from the 16,030 reported in 1998.



The percentage of domestic violence arrests in 2001 that were dual arrests was 1.3%. In 2000, the percentage was 8/10 of 1% and in 1999 the percentage was 2.5%. In 1998, the percentage was 3.5%. In 2001, the number of DV criminal incidents where a person was injured was 3,371 which was 19% of the total of DV incidents. In 2000, it was 19.9% and in 1999 the percentage was 22%. In 1998 the figure was 21%.

As has been stated in prior reports, these statistics are valuable when viewed as a general indicator of criminal domestic violence in Delaware. The data is not without flaws however and should only be used as a general indicator. The law enforcement community through the DVCC Law Enforcement Subcommittee continues to work on refining the data collection and reporting practices in Delaware.



## -Protection From Abuse Statistics —

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In calendar year 2001 a total of 1,974 Protection From Abuse Orders were issued in Delaware. This total reflects both Ex Parte and Final Orders. This total is an increase of 6% from the 1,855 orders that were issued in 2000 and an increase of 5% from the 1,871 orders that were issued in 1999. Overall the number of orders issued has increased 1% since 1998.

In calendar year 2001 1,390 of the orders issued were Final Orders. This is an increase of 8% from the 1,287 Final Orders that were issued in 2000 and an increase of 5% from the Final Orders that were issued in 1999. Overall, the number of Final Orders issued has decreased 6% from the 1,481 Final Orders that were issued in 1998.

The total number of Ex Parte orders issued was 584 in calendar year 2001 which is an increase of 2% from the 568 Ex Parte orders that were issued in 2000 and an increase of almost 8% from the 543 Ex Parte orders that were issued in 1999. Overall the number of Ex Parte orders issued has increased 22% from the 479 that were issued in 1998.

In 2001, 410 cases were taken to trial and abuse was found in 292 (71%) of the cases. In 2000, 569 cases were taken to trial and abuse was found in 316 (56%) of the cases. In 1999, cases were taken to trial in 554 cases and abuse was found in 376 (68%) while in 1998 there were 545 trials with abuse being found 361 (66%) times.

In 2001, 894 (64%) of the PFA orders issued were by consent while in 2000, 768 (60%) were by consent. In 1999, 753 (57%) were by consent and in 1998 841 (61%) were by consent.

Cases were brought back to court for civil contempt 88 times in 2001 with contempt being found 38 times (43%). In 2000, cases were brought to court for civil contempt 138 times with guilt being found 99 times (72%). In 1999, civil contempt hearings were held on 122 occasions with guilt being found 103 times (84%) while in 1998, cases were brought to trial 184 times with guilt being found on 137 occasions (65%).

Family Court continues to track the Protection From Abuse order statistics and to review the statistics for any anomalies. It is clear from the four years of data that the process is viewed by victims and advocates as a valuable aid in the safety of victims.



## - Shelter Statistics

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In 2001, there were 4,084 calls statewide to the Hotlines which is an increase of 13% from 2000 when 3,612 calls were received. The number of calls in 1999 was 3,766 and in 1998 the number of calls was 3,612. Overall, the calls have increased 13% since 1998.

In New Castle County, the hotline calls in 2001 totaled 2,978, which is an increase of 13% over 2000 when 2,637 calls were received. The number for 1999 was 2,748.

In Kent and Sussex Counties (including Abriendo Puertas) the total number of hotline calls in 2001 was 1,106 which is an increase of 13% when 975 calls were received. In 1999 the total number of hotline calls in Kent and Sussex County was 1,018.

The total number of individuals sheltered in Delaware in 2001 was 508 (including 58 for Abriendo Puertas) which is an increase of almost 6% from 2000 when shelter was provided to 480 people (including 44 for La Esperanza). In 1999 shelter was provided to 602 people and in 1998 to 561 people. Overall the number of individuals sheltered has decreased by about 10% since 1998. Importantly however, the numbers for the Spanish speaking shelter increased by almost 1/3 from 2000 to 2001.

In New Castle County the number of individuals provided shelter in 2001 was 256 which was a decrease of 14% from the 298 individuals who were sheltered in 2000 and a decrease of 45% from the 463 individuals who were provided shelter in 1999. Overall the number of individuals sheltered has decreased by 31% from the 369 who were provided shelter in 1998.

In Kent and Sussex counties, the total number of individuals provided shelter in 2001 was 252, which is an increase of 83% from the 138 individuals who were provided shelter in 2000 and an increase of 82% from the 139 individuals who were provided shelter in 1999. Overall the number of individuals who have been provided shelter has increased by 31% from the 192 individuals who were provided shelter in 1998.

# - Directory for Statewide Domestic Violence Services: New Castle County

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## **24-Hour Hotlines**

Provide round the clock, 365 days a year, contact for victims of domestic violence and refer those seeking services to appropriate service providers.

Domestic Violence Hotline 762-6110

Rape Crisis Contact 761-9100

Mobile Crisis Unit 1-800-652-2929

## **Battered Women's Shelter**

Provides shelter to victims of domestic violence and their children, in a confidential manner.

Battered Women's Shelter 762-6110

## **Treatment and Counseling Services**

Provide treatment and counseling services  
for persons experiencing domestic violence.

Child, Inc. 762-8989

Catholic Charities 655-9624

YWCA - Helping Hearts 658-7161

Latin American Community Center 655-7338

Delaware Center for Justice (50+ Yrs. of Age) - 658-7174, Ext. 12

### **Police Victim Services**

Provide support services to victims of domestic violence as they negotiate the criminal justice system.

Delaware State Police Victim Services (24 hours) 1-800-842-8461

New Castle County Police Department 571-7910/571-7379

Wilmington Police Department 576-3622/576-3648

### **Prosecution Services**

Coordinate with and support victims and witnesses in domestic violence prosecutions by the State of Delaware.

Department of Justice 577-8500

### **Court Services**

Provides information on Family Court proceedings, forms, policies and procedures.

Family Court 255-0300

### **Offender Supervision**

Provides offender supervision and tracking.

Probation/Parole 323-6050

### **Assistance for Victims of Violent Crime**

Provides monetary assistance and relief to victims of violent crime including domestic violence victims.

Violent Crimes Compensation Board 995-8383

### **Court Advocacy**

Provides advocacy and support services for victims of domestic violence going through the court processes.

Victim Advocacy Program 255-0420 or 255-0422

### **Legal Services**

Provides free legal representation for victims meeting the financial criteria.

Legal Helplink 478-8850

Delaware Volunteer Legal Service 478-8850

### **Information/Referral**

Provides system-wide information on domestic violence programs, policies and procedures.

Delaware Coalition Against Domestic Violence 655-2958

Kent/Sussex: 1-800-701-0456

Domestic Violence Coordinating Council 255-0405



# - Directory for Statewide Domestic Violence Services: Kent/Sussex Counties

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## **24-Hour Hotlines**

Provide round the clock, 365 days a year, contact for victims of domestic violence and refer those seeking services to appropriate service providers.

Northern Kent 678-3886 Kent and Sussex 422-8058

Abriendo Puertas 745-9874

Rape Crisis Contact 1-800-262-9800

Mobile Crisis Unit (18+ Yrs. of Age) 1-800-345-6785

## **Battered Women's Shelter**

Provide shelter to victims of domestic violence and their children, in a confidential manner.

Northern Kent 678-3886

Kent and Sussex 422-8058

Latino/a Population 1-302-745-9874 or 855-9515

## **Treatment & Counseling Services**

Provide treatment and counseling services for persons experiencing domestic violence.

Turning Point at People's Place 424-2420

Family Advocacy Program 677-2711

### **Police Victim Services**

Provide support services to victims of domestic violence as they negotiate the criminal justice system.

Dover Police Department 736-7134

Delaware State Police Victim Services (24 hours) 1-800-842-8461

### **Prosecution Services**

Coordinates with and supports victims and witnesses in domestic violence prosecutions by the State of Delaware.

Department of Justice

Kent 739-4211

Sussex 856-5353

### **Court Services**

Provides information on Family Court proceedings, forms, policies and procedures.

Family Court, Kent 739-6545

Family Court, Sussex 856-5254

### **Offender Supervision**

Provides offender supervision and tracking.

Probation/Parole

Kent 739-2338

Sussex 854-6994

**Assistance for Victims of Violent Crime**

Provides monetary assistance and relief to victims of violent crime including domestic violence victims.

Violent Crimes Compensation Board: 1-302-995-8383

**Court Advocacy**

Provides advocacy and support services for victims of domestic violence going through the court processes.

Domestic Violence Advocacy Center

Kent 739-6552

Sussex 856-5843

**Legal Services**

Provides free legal representation for victims meeting the financial criteria.

Community Legal Aid

Kent 674-8500

Sussex 856-0038

Legal Helplink 1-800-773-0606

**Information/Referral**

Provides system-wide information on domestic violence programs, policies and procedures.

Delaware Coalition Against Domestic Violence

New Castle County 658-2958

Kent/Sussex 1-800-701-0456

Domestic Violence Coordinating Council 1-302-255-0405

# - Committee Reports

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## **Corrections Subcommittee**

The Corrections Subcommittee, chaired by Commissioner Stan Taylor, met at least quarterly throughout the year with the meeting place rotating amongst the three counties. Although meetings of this committee have been publicized regularly, the attendance has been sparse. Other than Corrections staff and DVCC staff, the attendance has been limited to several police based victim services workers and a couple of perpetrator intervention workers.

Domestic Violence training was a highlight for the Department of Correction. In August of 2001, Bonnie Black, a domestic violence trainer from Arizona was hired by the DOC to present domestic violence training to probation officers. Also, in May of 2002, the DOC collaborated with the DVCC to present DV training to prison counselors in the Delaware Correctional Center and the Sussex Correctional Center. Further, in May 2002 the DVCC, in collaboration with Probation Officer Supervisors, Melissa Kearney and Christine Hitman, gave a Coordinated Community Response to Domestic Violence to the Middle Atlantic States Correctional Association Conference that was held at the Sheraton in Dover.

Another issue in Corrections this past year was perpetrator treatment in Sussex County. New Path Consultants, the certified treatment provider in Sussex County used most frequently by Probation and Parole went out of business effective the end of June of 2002. DVCC staff worked with Probation and Parole administrators to identify a certified treatment program for court ordered referrals.

## **Courts Subcommittee**

The Courts Subcommittee was reorganized in late 2001 as DVCC Chair, Chief Family Court Judge Vincent Poppiti, designated Family Court Commissioner DeSales Haley to act in his place as the committee chairperson. Commissioner Haley chaired meetings of the Court Subcommittee on January 7, 2002, April 15, 2002, and June 10, 2002. The courts that attend these meetings are the Family Court, the Court of Common Pleas, the Justice of the Peace Courts, and the Administrative Office of the Courts. Representatives from the Department of Justice, Probation and Parole, police based victims' services, perpetrator treatment, and the advocacy community regularly attend these meetings.

Perhaps the most significant issue that was resolved during the past year was the "publication" problem. The problem was that Family Court was requiring petitioners to "publish" notice in a designated newspaper if the respondent did not receive notice of the scheduled hearing. This "publication" placed a financial responsibility on the petitioners which the court learned was not in compliance with VAWA regulations. Upon learning that this requirement violated VAWA regulations, Family Court instituted the policy of paying all publication expenses. Another issue that has been resolved but is in the implementation stage is a notification form that is to be given to all PFA respondents advising them of their program compliance requirements related to the PFA and the contact information for each of the certified programs.

The Courts Subcommittee is also working on issues in collaboration with other DVCC subcommittees. Members of the Courts Subcommittee are collaborating with members from the Law Enforcement Subcommittee on the issue of gun relinquishment compliance as it relates to the PFA

orders. Also, people from the Courts Subcommittee are working with people from the Immigration Subcommittee on immigrant issues in the court system particularly with respect to interpreters.

Training remains an issue for judicial personnel. At the winter 2001 VAWA strategic planning session, DV training for judicial officers was established as a priority. Consistent with this priority, the DVCC with Mid-Atlantic Regional Community Policing Institute (MARCPI) funding provided "baseline" DV training for magistrates at their May training.

### **Fatal Incident Review Team**

The Fatal Incident Review Team is co-chaired by Chief Judge Vincent J. Poppiti and Cynthia M. Boehmer. In June 1996, legislation was enacted authorizing the Domestic Violence Coordinating Council to establish a review team, to investigate deaths occurring in Delaware as a result of domestic violence. The goal in reviewing domestic violence fatalities is to reduce future occurrences.

The purpose of reviewing domestic violence deaths is to identify the obstacles to delivery of services. By conducting system audits of state agencies and private organizations that had contact with the deceased victim or the perpetrator, the overall system response to domestic violence cases may be improved.

The Review Team has the authority to investigate and review the facts and circumstances of all deaths (both homicides, and suicides) that occur in Delaware as a result of domestic violence. Members of the review team focus on identifying the obstacles in service delivery and assessing the adequacy of agency intervention. Following the case review, team members develop recommendations aimed at establishing or improving

policies and practices which guide the system's response to domestic violence.

### **Immigration Subcommittee**

The Immigration Subcommittee, chaired by Mary Davis, Chair of the Domestic Violence Task Force has been working on domestic violence issues faced by the immigrant community. In addition to their victimization, the immigrant community is confronted with issues around their legal status in this country that can have a chilling effect on the reporting and delivery of effective services. The subcommittee's efforts during FY2001 have focused on bridging the gap between the northern and southern sections of the State. The subcommittee also focused on Department of Health and Social Services (DHSS), specifically training with DHSS staff, minority recruitment for DHSS staff, a Spanish-speaking information line for DHSS clients, and creating a manual for DHSS staff. In September 2001, a new shelter, Abriendo Puertas, opened in Georgetown for Latino victims.

### **Law Enforcement Subcommittee**

The Law Enforcement Subcommittee is chaired by Secretary of Public Safety, James L. Ford. The subcommittee met regularly through late 2001 and early 2002. A primary accomplishment for this committee was the Police Chiefs' Council's approval of the Model Policy on Police Officer Domestic Violence. This policy provides a blueprint for law enforcement agencies to use when a police officer is accused of domestic violence. The policy required a great deal of work on the part of the Law

Enforcement Subcommittee and the Police Chiefs' Council in order to fashion a document that was acceptable to all. Members of the Police Chiefs' Council, Goals Committee spent several months modifying the Model Policy to reflect Delaware's, state and local laws. The Chief's Council tabled the Model Policy at it's February meeting but passed it at it's March meeting.

Another area of focus for the Law Enforcement Subcommittee was modifying EPC (Enhanced Police Complaint) System to improve the data captured from the Domestic Incident Reports related to children witnessing incidents of domestic violence. Consistent with the introduction of the new questions is that police officers need to be trained on how to use these questions properly.

Additional work to be done on the Domestic Incident Report focuses on separating intimate partner violence from the larger category of domestic violence. Peggy Bell of DELJIS (Delaware Criminal Justice Information System) is in the process of developing a separate report to track this information. In collaboration with individuals from the Courts Subcommittee, members of the Law Enforcement Subcommittee are working on addressing the Protection From Abuse order gun relinquishment compliance issues.

### **Legislative Drafting and Review Subcommittee**

The Legislative Drafting and Review Subcommittee is co-chaired by Senator Patricia M. Blevins and Attorney General M. Jane Brady. The committee continued work on the Crime Victims' Ombudsman Bill which was introduced in June of 2001. The bill is a collaborative effort of the DVCC Legislative Subcommittee and the Victims' Rights Task Force. The "Ombudsman" bill creates an office of Crime Victims' Ombudsman. Victims



of crime, covered by the Victims' Bill of Rights, can file a complaint with the Crime Victims' Ombudsman if they believe their rights guaranteed under the Victims' Bill of Rights have not been followed.

The Ombudsman will have enforcement power concerning agency compliance with the Victims' Bill of Rights. The "Ombudsman" bill, SB 248, passed the Senate on May 7, 2002, by a vote of 17 to 2. The bill then moved to the House of Representatives. It did not come to the floor of the House for a vote prior to the legislative session ending on June 30, 2002. Senator Blevins indicates that she will re-introduce the bill in January of 2003. Also, in the spring of 2002 the DVCC Legislative Subcommittee began to work with the Sexual Assault Network of Delaware. It is expected that a collaborative effort can be developed on legislation of a mutual interest.

The Legislative Subcommittee also reviewed HB 315, which is an act to provide for the uniform interstate enforcement of domestic violence protection orders. The bill was sponsored by Representatives Wagner and Keeley. It passed both chambers of the General Assembly and was signed into law in July of 2002 by Governor Ruth Ann Minner. A copy of the bill is in the appendix of this report.

### **Medical Subcommittee**

The Medical Subcommittee has not been active since early 2001. Dr. Matthew Hoffman has been appointed to replace Dr. Reed as the representative from the medical community to the DVCC. Dr. Hoffman will preside over the subcommittee being reconvened in FY2003.

## **Treatment and Resources Subcommittee**

The Treatment and Resources Subcommittee is chaired by Cynthia Boehmer, Executive Director of Families in Transition. The Coordinating Council began the new fiscal year by determining that currently certified programs would have 6 months from August of 2001 to comply with the new "Intervention Standards" that had just been approved by the full DVCC.

Historically this group has been very active in the development of treatment protocols. As changes to these protocols are not expected in the near future, the group will reconvene in the fall to determine the direction of their efforts.

# - Domestic Violence

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## Coordinating Council Activities

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### **Batterers' Intervention Certification Panel**

The Batterer's Intervention Certification Panel evaluates applications for program certification and monitors certified programs compliance with established Intervention Standards. During FY 2002, panel members developed a Certification Renewal process for agencies coming up for certification renewal. Another process developed this year was the "decertification" process. The procedure was developed in response to complaints received by the Coordinating Council, against a certified provider.

During FY2002 The Domestic Violence Certification Panel handled two applications for certification. One review was completed and the application was approved, one review is pending. The approval of Children and Families First, in Georgetown, marked the first certified bi-lingual program in the state. Sadly, the Program Supervisor was killed in a car accident in early December. The Children and Families First program has been suspended until a qualified replacement is hired.

### **Children and Domestic Violence Workgroup**

Research studies estimate that between three million and ten million children are exposed to domestic violence each year. Whether they are witnesses to violence or direct victims of abuse, child victims of domestic violence suffer a range of emotional, physical, and behavioral disorders as a result of their exposure. In October of 2000, the Domestic Violence Coordinating Council convened a statewide forum to discuss issues surrounding children and domestic violence. The Forum resulted in

the creation of the Children and Domestic Violence Workgroup which began meeting in January of 2001.

The Workgroup developed subcommittees to focus on priority areas. Members of the Workgroup include representatives from the Division of Family Services, the advocacy community, the Department of Justice, Family Court, Justice of the Peace Court, Community Legal Aid Society, Inc., law enforcement, the treatment community, DVCC staff and others. During FY 2002, the Workgroup participated in the National Association of Attorneys General (NAAG) three day site visit to review Delaware's efforts in this area. The NAAG, Violence Against Women Project visit resulted in a favorable report on Delaware's work in the area of Children and Domestic Violence.

In June 2002, Chief Judge Poppiti and Bridget Poulle attended the Northeast Regional Leadership Forum on Children and Domestic Violence along with 3 members of the Children and DV Workgroup. The team of five represented Delaware at the two-day conference in Philadelphia, hosted by the National Association of Public Child Welfare Administrators.

### **DVCC Website: [dvcc.state.de.us](http://dvcc.state.de.us)**

In January of 2002, the Domestic Violence Coordinating Council launched it's official website at [dvcc.state.de.us](http://dvcc.state.de.us). The intent of the website is to provide information on a variety of domestic violence topics. Included on the website are the basic dynamics of domestic violence as well as a list of service providers for victims. Also included are existing domestic violence legislation in Delaware, as well as any legislation that is currently being developed.

The site also provides a comprehensive listing of DVCC activities and initiatives and provides a copy of recent Domestic Violence Coordinating Council publications such as the Safety Plan, the Annual Report, and the Fatal Incident Review Team report. Links to many other sites are possible from the DVCC site. The website is vibrant and is continually growing.

### **Domestic Violence Awareness Month**

As in the past, the Domestic Violence Coordinating Council co-sponsored and participated in a number of events commemorating Domestic Violence Awareness Month. The “kick off” event was the annual press conference in the Governor’s Office which the DVCC sponsored with the Delaware Coalition Against Domestic Violence. Governor Ruth Ann Minner signed a proclamation declaring October to be Domestic Violence Awareness Month in Delaware.

Some other activities included the Corporate Initiative Breakfast on October 1, 2002, the Week Without Violence Anti-Violence Community Resource Fair at the Christiana Mall on October 12, 2002, Clergy Training on Family Violence on October 15, 2002, and the Delaware Coalition for Breast Cancer Conference in Dover on October 19, 2002.

### **Law Enforcement Training Working Group**

The Law Enforcement Training Working Group plans, coordinates, and administrates the annual VAWA funded Law Enforcement Training Conference. In 2001 it was held on November 14 and 15 at the Sheraton Hotel in Dover. In 2001 there was a dual focus on domestic violence and sexual assault. The format was a plenary session during the morning of each day with six breakout sessions each afternoon. Approximately 500

individuals attended the conference each day. The conference was very challenging administratively and more technologically advanced than any of the previous conferences. The material presented at the conference was stimulating and the attendee evaluations were very positive.

The Training Working Group has continued to meet throughout the year planning the 2002 conference. The conference is scheduled for November 13 and 14 at the Sheraton Hotel in Dover. This year stalking and elder abuse are to be highlighted.

### **Mid-Atlantic Regional Community Policing Institute (MARCPI)**

In August of 2001, the DVCC staff received a telephone call from Dave Sargent representing the Middle Atlantic Regional Community Policing Institute concerning funds they had available for Domestic Violence Training in Delaware, Maryland, and Washington, D.C. After an initial meeting which included DVCC staff, the Delaware Coalition Against Domestic Violence, the Delaware State Police, the New Castle County Police, and a MARCPI representative, it was determined to develop a "focus group" to examine training needs and set priorities.

A focus group of approximately 25 individuals representing a cross-section of the DV community in Delaware met in the fall of 2001. It was determined that training priorities for Delaware would include an executive level DV briefing, commissioner and magistrate training, and judicial level training.

The executive briefing for cabinet level officials and department heads was held at the Dover Downs Hotel in April of 2002. Governor Ruth

Ann Minner supported the event and gave the opening remarks. Chief Judge Vincent J. Poppiti and Senator Patricia M. Blevins also addressed the audience. Approximately 80 individuals attended the briefing. In addition to local presenters, Diane Stuart, the new Director of the Violence Against Women Office, provided a general overview of the “Agenda for the Nation Toolkit”.

The DV training for magistrates and commissioners, which was to establish a base line of DV knowledge, was held at the Dover Downs Hotel in May of 2002. Approximately 70 individuals attended this training.

Training for the judiciary is scheduled as part of the Judicial Education Retreat in September in Rehoboth. Judge Ronald Adrine from Ohio will be the presenter to the judiciary. Additionally, MARCPI has offered to provide supplemental funds for the 2002 annual VAWA funded law enforcement training conference. The additional money will permit more individuals to attend the training. The DVCC has accepted the MARCPI offer, thus more individuals will be permitted to attend.

### **VAWA Implementation Committee**

The Violence Against Women Act [VAWA] Implementation Committee, chaired by Judge Vincent J. Poppiti and Senator Patricia Blevins, held five committee meetings during the period of July 2001 through June 30, 2002 to discuss funding allocations received from the Office of Justice, Violence Against Women Office.

In 2001, the State of Delaware received three federal grants from the Violence Against Women Office;

- 1) FY 01 S.T.O.P. Formula Block Grant - \$819,000,

- 2) FY 02 S.T.O.P. Formula Block Grant - \$874,000, and
- 3) Rural Domestic Violence and Child Victimization Enforcement Grant Program - \$100,000.

During this reporting period, the VAWA Implementation Committee made the following funding allocations under FY 01 S.T.O.P. Formula Block Grant : they continued to provide funding to eleven programs (Domestic Violence Advocacy Center - \$50,023; YMCA "Helping Hearts Program"- \$42,000; Prevent Child Abuse Delaware "Comprehensive Services for Sexual Assault Victims"- \$25,524; Latin American Community Center "Families in Control Program" - \$57,752; Community Legal Aid Society "Domestic Abuse Legal Services" - \$75,000; CONTACT, Delaware "Support Services for Sexually Abused Adolescent Victims" -\$34,012; Delaware State Police Department "Domestic Violence Specialist"- \$51,000; Dover Police Department "Domestic Violence Victim Representative" - \$21,600; Wilmington Police Department (Delaware Center for Justice) "Elder Abuse Contract" - \$20,000; Domestic Violence Coordinating Council "Law Enforcement Training" - \$44,522; and the Department of Justice "Kent & Sussex County" - \$194,512.50. In addition the Committee funded five new programs (Christiana Care Health Services "S.A.N.E. Training/On-Call" - \$24,000; La Esperanza "Bi-lingual Domestic Violence Case Management" - \$36,000; Delaware State Police Department "Mosaic Training" - \$23,000; Family Court "Domestic Violence Pre-Trial Investigator" - \$44,713; CJC/ DVCC "Evaluation of the Domestic Violence Risk Assessment" - \$30,150). As part of the FY 01 funding allocation, the VAWA Implementation Committee contracted with Drs. Byron Johnson and Neil Websdale to conduct an extensive evaluation of Delaware's Domestic Violence Risk Assessment.



During the week of March 8-15, 2002, the evaluators conducted intensive field visits with various representatives and systems who interact with domestic violence victims and perpetrators. These interviews included victims, shelter-based workers, police-based victim service representatives, Commissioners, Justice of Peace Judges, Family and Superior Court Judges, Detectives from various police departments, Deputy Attorney Generals, Probation and Parole, court-based Domestic Violence Specialists, and Batterer's Intervention Programs. The researchers also participated in 8 ride a-longs with police agencies throughout the state. The final product of this evaluation will be completed in July 2002.

Furthermore, the State of Delaware received a planning grant under the Rural Domestic Violence and Child Victimization Enforcement Discretionary Grant Program from the Violence Against Women Office in the amount of \$100,000. The primary goal of this project is to complete a comprehensive needs assessment of Delaware's rural communities and produce an implementation plan that will be used to seek future funding under the Rural Domestic Violence and Child Victimization Enforcement Grant Program. In May 2002, the VAWA Implementation Committee solicited letters of interest for a researcher(s) to complete a comprehensive needs assessment for Kent and Sussex Counties.

## - Conferences Attended

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During FY2002, DVCC staff and members attended the following conferences/events:

9/7/01	Building Healthy Dating Relationships Rehoboth Beach, DE
10/03/01 - 10/04/01	Criminal Justice Council Victim's Services Workplace Violence: Serving the Underserved Clayton Hall, Newark, DE
10/08/01	Agenda for Delaware Women Trailblazer Award Dinner Hotel DuPont, Wilmington, DE
10/27/01- 10/31/01	National College of District Attorneys Reno, NV
10/30/01	U.S. Dept. of Justice Children & Firearms Seminar Riverfront Arts Center, DE
11/14/01 - 11/15/01	Law Enforcement Training Conference, 2001 Sheraton Conference Center, Dover, DE
12/11/01 - 12/14/01	4th Annual National Conference on the Changing Role of Law Enforcement in Ending Violence Against Women, Omni Hotel, Austin, TX
1/14/02	DV 101, Delaware Coalition Against Domestic Violence, Dover Police Department, Dover, DE
3/04/02	DELJIS Training, Wilmington, DE
4/08/02	St. Joseph's University, Violence Against Women Symposium. Keynote by Diane Stuart, Director of Violence Against Women Office, U.S. Department of Justice, Philadelphia, PA

*Conferences Attended (continued)*

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4/16/02 - 4/19/02	Lessons Learned, the Aftermath of 9/11 Washington, D.C., NOVA
5/30/02 - 5/31/02	Institute on Domestic Violence in the African American Community Spring 2002 Forum, Black Men and Domestic Violence, Doubletree Hotel, Philadelphia, PA
6/5/02 - 6/7/02	Coordinated Community Response National Training Project,, Duluth, MN
6/17/02	Injury Prevention Workshop, Polytech, Woodside, DE
6/18/ & 6/19/02	National Association of Public Child Welfare Administrators, Northeast Regional Leadership Forum on Improving Outcomes for Children and Families Affected by Domestic Violence and Child Maltreatment, Crown Plaza Hotel, Philadelphia, PA
6/26/02	Biden Hearing, Sexual Assault Nanticoke Hospital, Seaford, DE

## - Training/Presentations

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During FY2002, DVCC staff and/or members participated in the planning, development, and/or presentation of the following:

<u>Date</u>	<u>Targeted Audience</u>	<u>Location</u>	<u>Attendees (Estimate)</u>
8/6/01 8/7/01	Department of Correction Probation & Parole	Dover, DE	50
9/22/01	Wilmington Wellness Day	Rodney Square, Wilmington, DE	150
10/01/01	DVCC Domestic Violence Awareness Month Press Conference	Carvel Building Wilmington, DE	45
10/01/01	Corporate Breakfast	MBNA, Newark, DE	75
10/12/01	Week Without Violence	Christiana Mall, DE	250
10/15/01	Family Violence Clergy Training	Wilmington, DE	45
10/19/01	DE Breast Coalition Conference	Dover, DE	150
11/14/01 11/15/01	8th Annual LET Conference	Dover, DE	500
11/27/01	Corporate DV Training	Dover, DE	45
12/05/01	DV Training for Courtwatch	Univ. of Delaware, DE	6



## - Training/Presentations

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<u>Date</u>	<u>Targeted Audience</u>	<u>Location</u>	<u>Attendees (Estimate)</u>
3/19/02	DV Training for Magistrates	Court 7, Dover, DE	1
4/9/02	Cabinet-Level DV Training DVCC & MARCPI	Dover Downs, DE	75
4/11/02	Naturalization Conference	Dover, DE	100
4/17/02	Corporate Initiative Training	Polytech, Woodside, DE	45
4/24/02	11th Annual Victims' Tribute	Dover, DE	200
5/14/02	Counselor Training, SCI	Georgetown, DE	12
5/16/02	Counselor Training, DOC	Smyrna, DE	35
5/20/02	DVCC Justice of the Peace Court Training	Dover, DE	52



## - Conclusion

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The DVCC began FY2001 working with a new Governor and a new administration. The Council appreciated the opportunity to begin working with the new administration, a new General Assembly, and the Judiciary on domestic violence issues. The MARCPI funded and DVCC coordinated domestic violence briefing for executive level officials is a prime example of working with the new administration. In the coming year the DVCC will continue to work with the three branches of government to reduce the incidence of domestic violence in Delaware.

As rewarding as FY2001 was in terms of technological advances, training offered, and outreach efforts into the community, much work remains. The DVCC will continue to work with system components such as the courts, the police, prosecution, DFS, and corrections to improve services to victims and offender accountability. The DVCC is mindful of the fact that although systems are in place promoting perpetrator accountability and services to victims, that the systems are not always properly used and also that they need periodic revision. Monitoring existing systems needs to be an ongoing effort.

The Council will also continue to work with practitioners such as advocacy, perpetrator treatment programs, the medical community, the faith community, and schools to combat domestic violence in all of its forms and to improve services to victims. Nonprofit agencies and private organizations providing services to the domestic violence community are also in need of the services of the DVCC.

Foremost to remember is despite the consistent efforts of the DVCC and others in the domestic violence community, people continue to be abused and in fact die as a result of domestic violence. Our primary goal needs to be to continue to work to eliminate domestic violence as a social problem in Delaware.

## -Appendix 1

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### **HOUSE BILL NO. 315**

AN ACT TO AMEND TITLE 10, DELAWARE CODE, TO  
PROVIDE FOR THE UNIFORM INTERSTATE  
89ENFORCEMENT OF DOMESTIC VIOLENCE PROTECTION  
ORDERS ACT.