

Domestic Violence Coordinating Council

2011

Annual Report
&
Fatal Incident Review Team Report



Domestic Violence Coordinating Council

2011 Annual Report

And

Fatal Incident Review Team

Annual Report

To:

Honorable Jack A. Markell
Governor, State of Delaware

Honorable Myron T. Steele
Chief Justice
Supreme Court
State of Delaware

Table of Contents

3	Domestic Violence Coordinating Council Members
4	Who We Are/What We Do
5	Message From The Chairs
6	Message From The Executive Director
7	Legislative Updates—State of Delaware
8	Domestic Violence Statistics
9	Intimate Partner Statistics
10-11	Protection From Abuse Statistics
12	Domestic Violence Hotline Statistics
13	Shelter Statistics
14-17	Program Statistics
18	DVCC Subcommittees
19	Training Events
20	Year In Review
22	Fatal Incident Review Team (FIRT) Report
23	FIRT Report Table of Contents
Back Cover	Resources

Domestic Violence Coordinating Council

Chairs

Hon. Patricia M. Blevins
Member of the Senate
Council Chair

Hon. Carl C. Danberg
Commissioner
Department of Correction
Council Vice Chair

Members

Hon. Michael Barbieri
Member, House of Representatives

Hon. Joseph R. Biden, III
Delaware Attorney General

Mr. Carl E. Burke
Representative, Victims of
Sexual Assault

Ms. Dana Harrington Conner
Member-at-Large

Dr. Matthew Hoffman
Representative, Health Care
Community

Chief Jeffrey Horvath
Representative, Law
Enforcement Community

Hon. Deborah Hudson
Member, House of
Representative

Hon. Chandlee Johnson Kuhn
Chief Judge Family Court

Ms. Geraldine Lewis-Loper
Member-at-Large

Ms. Cindy Mercer
Representative, Domestic
Violence Advocacy Community

Hon. Brendan J. O'Neill
The Public Defender

Hon. Vincent J. Poppiti
Member-at-Large

Hon. Vivian Rapposelli
Secretary, The Dept. of Services
for Children, Youth and Their
Families

Ms. Margaret Reyes
Member-at-Large

Hon. Lewis D. Schiliro
Secretary, Dept. of Safety and
Homeland Security

Hon. Liane M. Sorenson
Member of the Senate

Hon. James T. Vaughn, Jr.
President Judge Superior Court

DVCC Staff Contact Information

Bridget V. Poulle
Executive Director
Bridget.Poulle@state.de.us

Cheryl M. Cooper
Trainer/Educator
Cheryl.Cooper@state.de.us

Karen Ewing
Administrative Specialist
Karen.Ewing@state.de.us

Cara C. Sawyer
Planning Supervisor
Cara.Sawyer@state.de.us

Aimee V. String
Project Coordinator
Aimee.String@state.de.us

DVCC Agency Main Number
302-255-0405

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

Who We Are/What We Do

The Domestic Violence Coordinating Council is a State agency legislatively created in 1993 to improve Delaware's response to domestic violence. The Coordinating Council brings together domestic violence service providers and policy-level officials to identify and implement improvements in system response through legislation, education, training and policy development.

Delaware Code, Title 13, Domestic Relations, Chapter 21

The Domestic Violence Coordinating Council:

- Studies court services and procedures, law enforcement procedures and protocol, and criminal justice data collection and analysis, as it relates to domestic violence.
- Effectually coordinates among agencies, departments, and the courts with victims of domestic violence and abuse.
- Promotes effective prevention, intervention, and treatment techniques based upon research and data collection.
- Recommends 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.
- Reviews, drafts and comments upon legislation relating to domestic violence introduced in the General Assembly at the request of any member of the General Assembly or on its own initiative; and
- Improves the response to domestic violence and abuse to reduce the incidents thereof.

Much of our work is done through subcommittees made up of Council members, staff, service providers, policy-level officials, and community members. This collaborative approach has helped us to implement new policies, establish supportive ties in the community for victims of violence, and provide educational tools for all members of the community.

Message from the Chairs



Hon. Patricia M. Blevins
State Senate
Chair



Hon. Carl C. Danberg
Commissioner
Department of Correction
Vice Chair

On October 27, 2010, Susan B. Carbon, Director of the U. S. Department of Justice Office on Violence Against Women (OVW) along with the White House Council on Women and Girls and the White House Advisor on Violence Against Women, convened a national roundtable discussion on strategies for improving response to sexual violence in the United States. Although the landmark 1994 Violence Against Women Act (VAWA) included sexual violence, many of the initial VAWA resources were used to improve system response to domestic violence, increase victim safety and develop services to assist victims of domestic violence and their families.

In April 2011, the Domestic Violence Coordinating Council joined ContactLifeline and the Sexual Assault Network of Delaware in welcoming Director Carbon to Legislative Hall in Dover. Director Carbon was introduced to the members of the House and the Senate, where she spoke about the importance of strengthening the response to sexual violence in our states and our nation, then joined the Governor in declaring April 2011 Sexual Assault Awareness Month in Delaware.

As with domestic violence, sexual violence is widespread and often misunderstood; nearly 1 in 6 American women will be victimized by rape or attempted rape in their lifetime. Despite its prevalence, sexual assault is considered to be the most underreported violent crime in America. Many victims go unaided due to fear of intrusive court proceedings or other factors such as self-blame, embarrassment or fear that the system will respond with skepticism.

DVCC looks forward to supporting our partners in the advocacy community, law enforcement, the courts, victim services, community leaders and others in the efforts to prevent sexual violence and improve system response to the victims.

Message from the Executive Director



Bridget V. Poule
Executive Director

The effects of domestic violence and its impact on the health, safety and welfare of Delaware 's citizens are far-reaching. For the past 18 years the Domestic Violence Coordinating Council has served as a mobilizing force; working with domestic violence service providers, law enforcement, family services, courts and policy level officials to improve Delaware 's response to domestic violence. We strive to educate the public about the dynamics of domestic violence, and in an effort to address the many challenges of protecting victims; we develop and support new legislation that provides additional safety measures for victims and their children. One of those safety measures is Senate Bill 28, which established the Address Confidentiality Program (ACP). The ACP allows victims of domestic violence, sexual assault, and stalking as well as those in the witness protection program, to apply for an authorized substitute address, to be used in place of their actual address. The bill, developed by the Department of Justice, was signed into law by Governor Markell on May 19, 2011 and takes effect October 3, 2011.

Through the Address Confidentiality Program, the Department of Justice will be able to assist victims of domestic violence, sexual assault and stalking, by providing confidential addresses that substitute for the victims ' physical address on public records. "This new law creating an address confidentiality program will allow us to protect people who are facing the most serious danger," said Senator Patricia Blevins, DVCC Chair and long time advocate for survivors of domestic violence and sexual abuse.

I would like to thank our Chair, Senator Blevins, Vice Chair, Commissioner Danberg, our Coordinating Council members and staff as well as the legislators, advocates, law enforcement officers, judicial officers, court personnel, community leaders and other individuals who work tirelessly to provide a fair and just system that focuses on victim safety as well as offender accountability.

Legislative Updates—State of Delaware

“ This new law creating an address confidentiality program will allow us to protect people who are facing the most serious danger. ”

- Senator
Patricia Blevins

Senate Bill (SB) 28

AN ACT TO AMEND TITLES 11 AND 15 OF THE DELAWARE CODE RELATING TO ADDRESS CONFIDENTIALITY FOR CERTAIN PERSONS.



This Act will protect the safety of certain victims of violent crime by creating Delaware 's Address Confidentiality Program, which will be administered by the Delaware Department of Justice. The Program will permit victims of domestic violence, stalking and sexual assault, as well as persons participating in Delaware 's Witness Protection Program, to keep their actual address confidential by applying to the Department of Justice for a substitute address to which all mail will be delivered. The Act ensures that Federal, State and local governments, will have access to a program participant 's actual address through a waiver process to be established by the Department of Justice. The Act shall take effect on October 3, 2011.

Primary Sponsor: Senator Patricia Blevins Signed by the Governor: 5/19/2011

House Bill (HB) 106

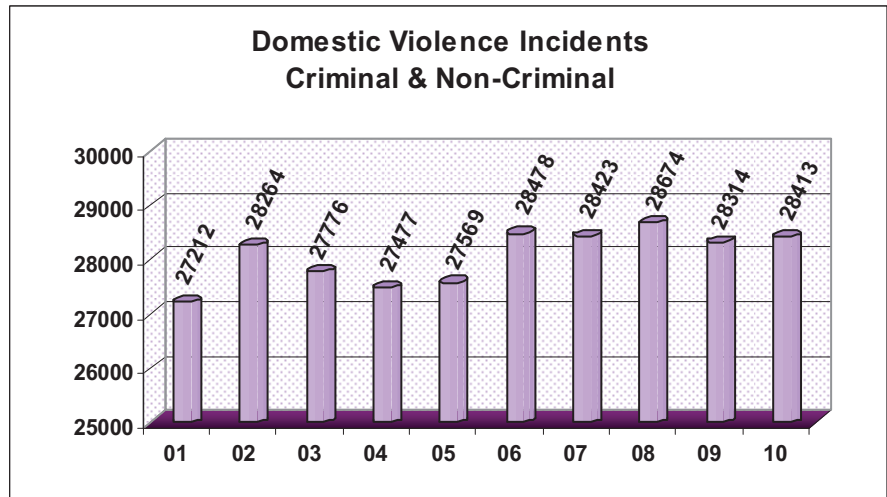
AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE DOMESTIC VIOLENCE COORDINATING COUNCIL.

These amendments task the Office of the Chief Medical Examiner with sending to the Domestic Violence Coordinating Council a monthly report of the homicides and suicides that occurred in Delaware, to better identify fatal incidents related to domestic violence and adds one additional chair to the Fatal Incident Review Team, increasing the number of co-chairs from two to three.

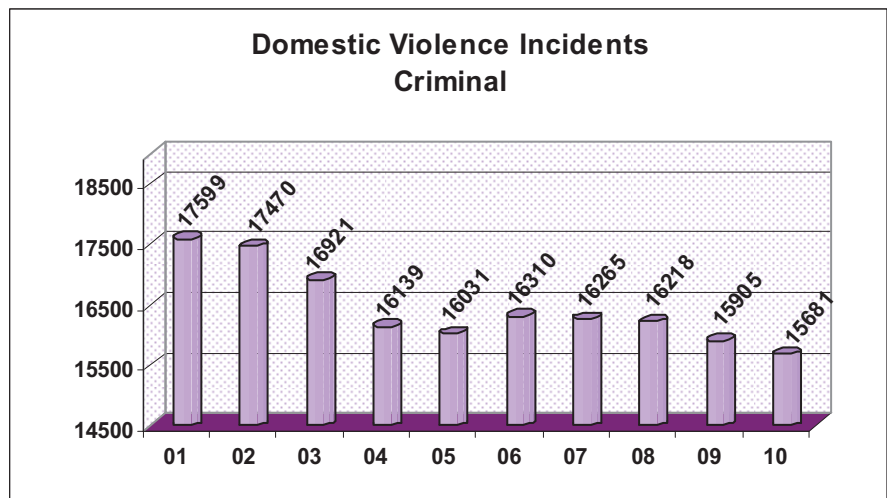
Primary Sponsor: Representative Michael Barbieri
Signed by the Governor: June 28, 2011

Domestic Violence Statistics

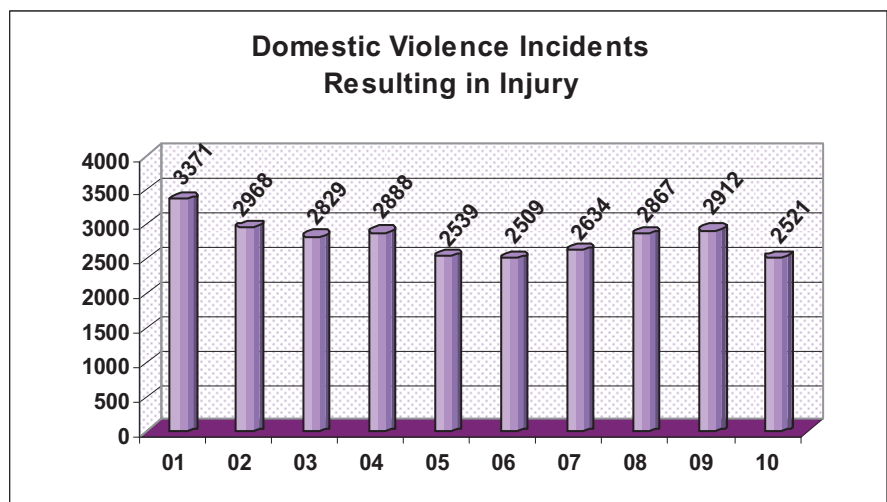
In calendar year 2010, per the State Bureau of Identification, the total number of domestic violence incidents reported in Delaware was 28,413 (combined criminal and non-criminal).



Criminal domestic violence incidents are those incidents where a crime is committed or alleged. Non-criminal domestic violence incidents are those in which there is police contact, but no crime was committed or alleged (For example, a verbal argument in which no threats are made). In calendar year 2010, the total number of reported domestic violence criminal incidents was 15,681.



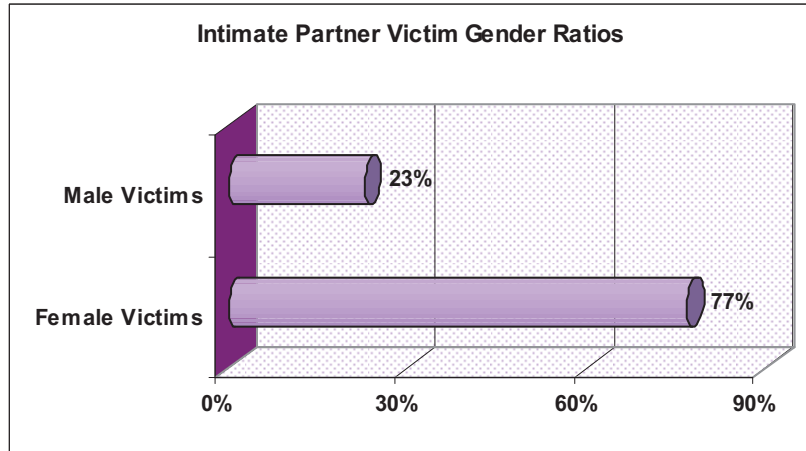
Of the 15,681 reported criminal incidents, 2,521 resulted in physical injury.



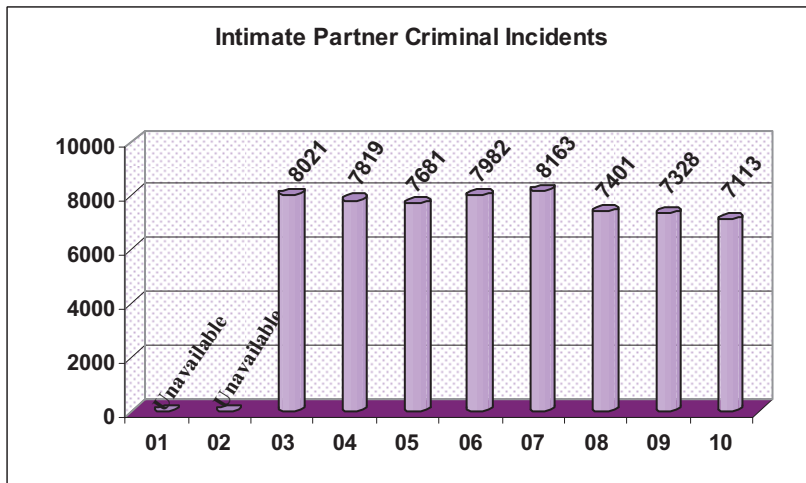
Intimate Partner Statistics

The term “Intimate Partner” includes current and former spouses, current and former dating couples with or without a child in common and dating couples. Intimate partners may be the same gender.

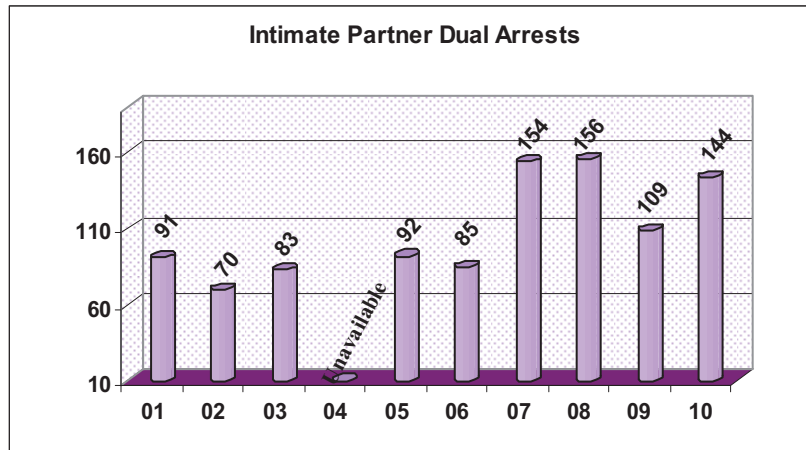
In 2010, 45% of all Domestic Violence Incidents took place between intimate partners. Of those, 77% were female victims.



The State Bureau of Identification first began tracking intimate partner cases separately from all domestic cases in 2003. In 2010, there were 7,113 criminal incidents that occurred between intimate partners.



Dual Arrests are when law enforcement arrests both intimate partners involved in a domestic violence incident. In 2010, there were 144 dual arrests made statewide. This is 2% of all intimate partner criminal domestic violence incidents.



Protection from Abuse

What is an Order of Protection From Abuse?

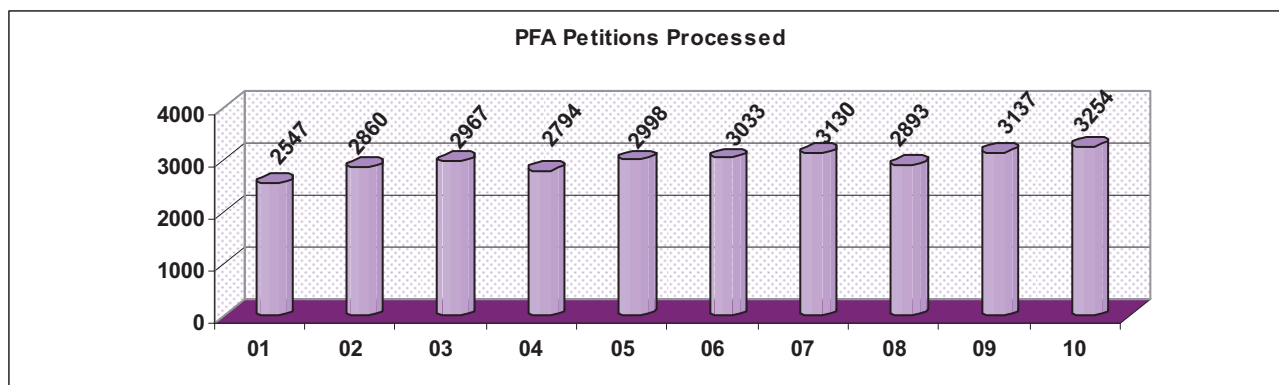
An Order of Protection From Abuse is issued by Family Court ordering someone to stop abusing another person, and may include other relief, such as ordering the abuser to stay away from the person being abused.

Who can file for Protection From Abuse?

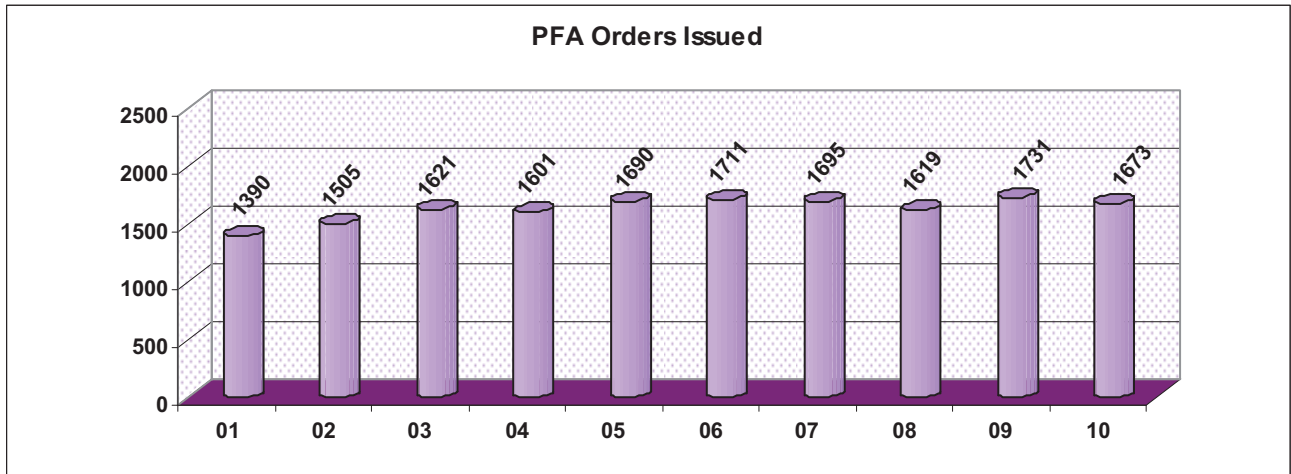
Spouses, ex-spouses, family members, persons who lived together when the abuse occurred, persons living together as a couple, with or without a child/children, or persons living separate and apart with a child/children in common, or persons (includes same sex) in a current or former substantive dating relationship may file for an Order of Protection from Abuse. Also, the Division of Family Services acting in the interest of a minor child may file a petition alleging domestic violence; or the Division of Adult Protective Services acting on the interest of an infirm adult may file a petition alleging domestic violence; or parents/guardians may file a petition on behalf of their teens who are in abusive relationships.

How a Protection From Abuse Order is Issued

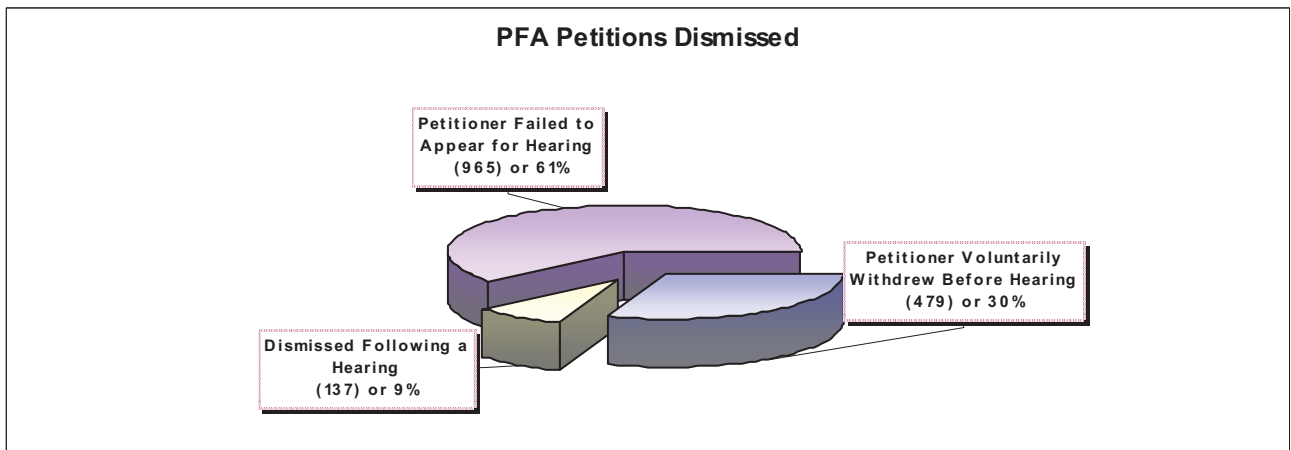
A Protection From Abuse Order is issued when the Court finds by a preponderance of evidence that domestic violence has occurred, or if the respondent consents to the entry of a protective order. The Family Court of Delaware defines abuse in 9 Del. C. § 1041. Included in the conduct which constitutes abuse is: Injuring or attempting to injure another person; engaging in a course of alarming or distressing conduct which would likely cause fear, emotional distress or provoke a violent or disorderly response; or any other conduct which a reasonable person under the circumstances would find threatening or harmful. Statewide, Family Court processed 3,254 Protection From Abuse Petitions (PFA) in 2010.



Protection from Abuse



In 2010, there were 1,581 Final Protection From Abuse orders issued statewide. Protection Orders issued may provide the following relief for victims: no contact with the Petitioner, exclusive use of the home or possessions, temporary custody, child support or support for the Petitioner, payment of expenses, surrender of firearms, counseling, and other relief that may help to prevent future violence. 1,480 ex parte Protection From Abuse Orders were issued in 2010.



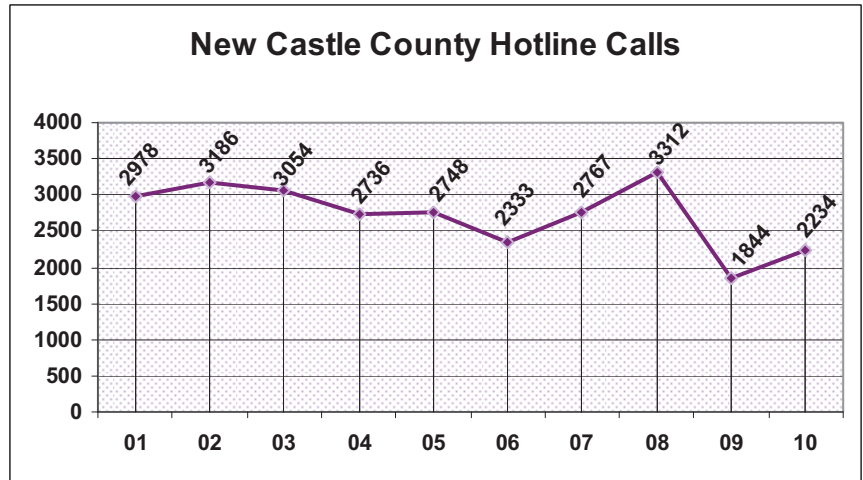
Of the 3,254 petitions processed, 1,673 PFA Orders were issued. The remaining 1,581 petitions were dismissed.

A Protection From Abuse petition dismissal can occur one of three ways:

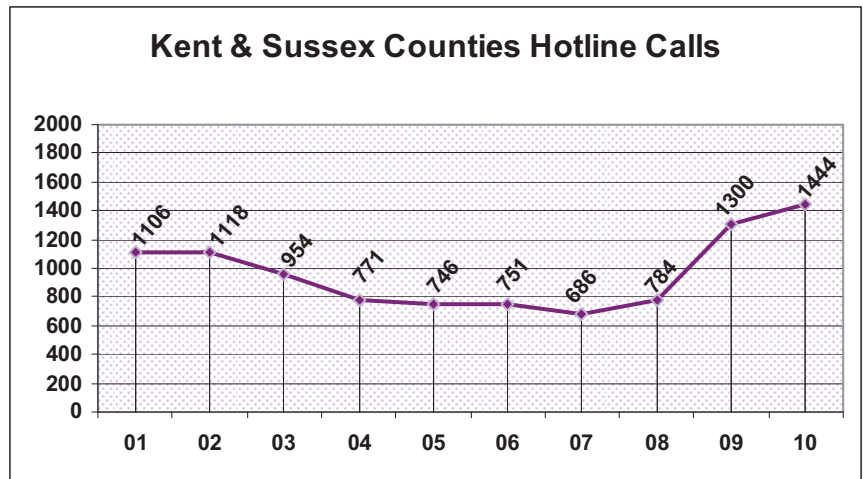
- The Petitioner fails to appear for the hearing (965),
- The Petitioner voluntarily withdraws the petition before the hearing (479),
- Or, following a hearing where abuse was not found by a preponderance of evidence (137).

Hotline Statistics

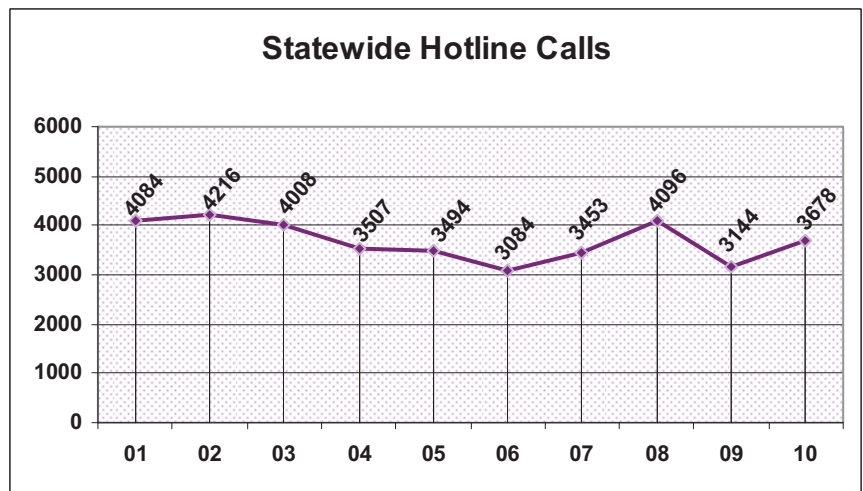
In 2010, there were 2,234 calls to the domestic violence hotline in New Castle County. This is an increase of 390 calls from 2009.



In 2010, there was a total of 1,444 calls to domestic violence hotlines in Kent and Sussex Counties. This is an increase of 144 calls and is the highest number of hotline calls since the DVCC began keeping records in 1998.

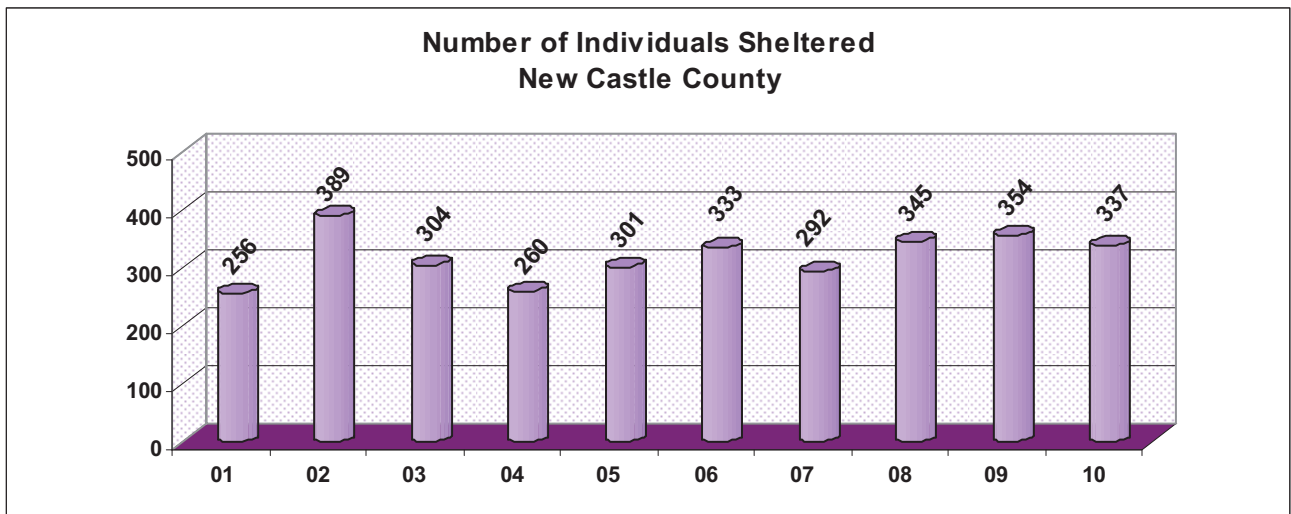


In 2010, there were a total of 3,678 calls received by domestic violence hotlines statewide. The average number of hotline calls over a ten year span is 3,676 per year.

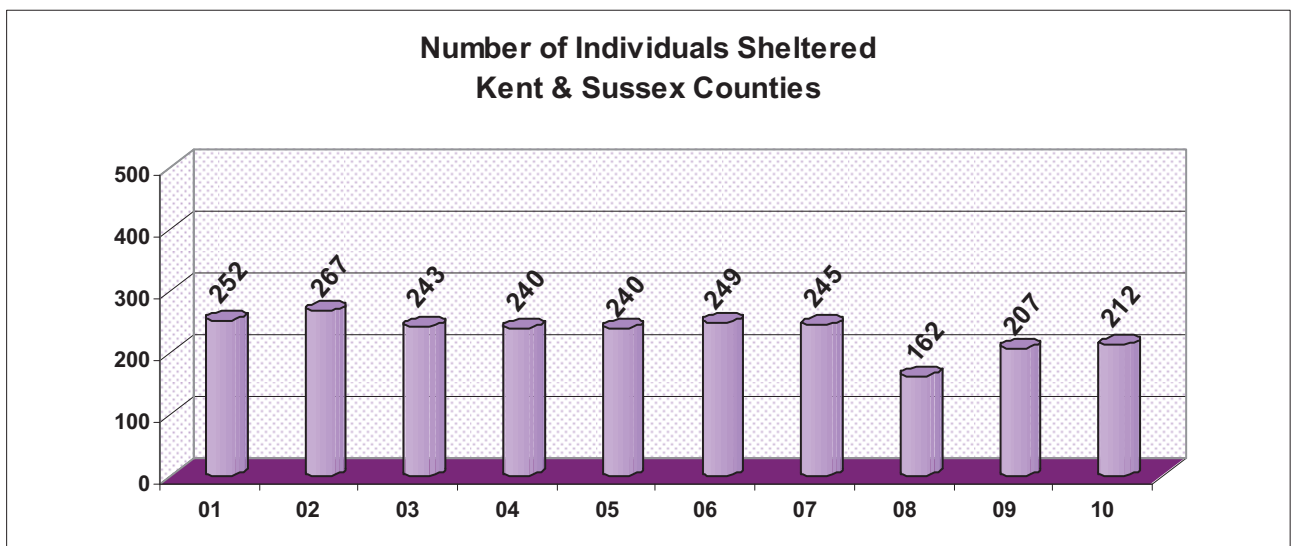


Shelter Statistics

In 2010, there were 549 women and children sheltered statewide (282 women and 267 children). This was down slightly from the total of 561 women and children sheltered in 2009.



In New Castle County, 337 individuals were provided shelter in 2010. Of the 337 individuals 174 were women and 163 were children.



In Kent and Sussex Counties, the total number of individuals sheltered in 2010 was 212. Of the 212 provided shelter, 108 were women and 104 were children.

Program Statistics

Domestic Violence Court -Based Advocacy Programs

The Victim Advocacy Programs provide free services to help victims of domestic violence navigate their way through the court system. Trained advocates assist victims with safety planning, answer questions about the court process, assist in filing petitions and provide a supportive presence at court hearings. Services are provided in Family Court in all three counties.

New Castle County	Kent County	Sussex County
Individuals Served	Individuals Served	Individuals Served
696	460	359

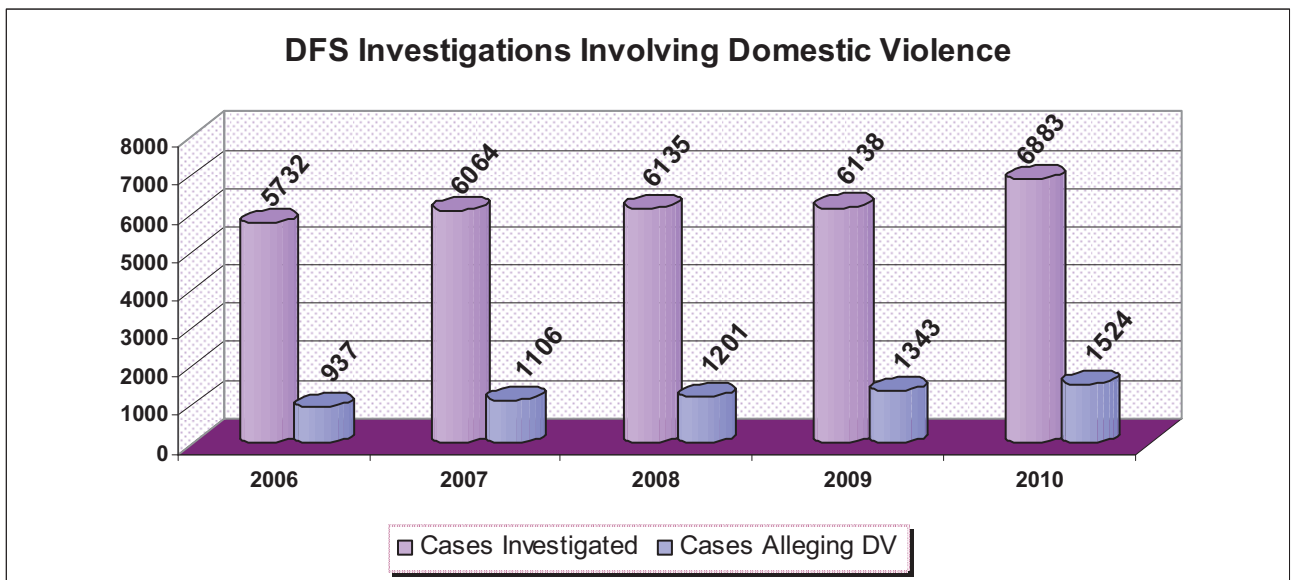
Family Visitation Centers

In collaboration with the State of Delaware and two private non-profit organizations, Family Visitation Centers help address custody and visitation issues in families with a history of domestic violence. Statewide, five centers provide a safe, neutral setting for monitored exchange of children for off-site visitation or supervised on-site visitation.

	CHILD, Inc.	People 's Place	
	New Castle County	Kent & Sussex County	Statewide
Visitation Exchanges:	797	970	1767
Group Visits:	846	714	1560
Individual Supervised Visits:	436	944	1380
Children Served:	183	108	291
Parent/Caregivers Served:	272	140	412

Program Statistics

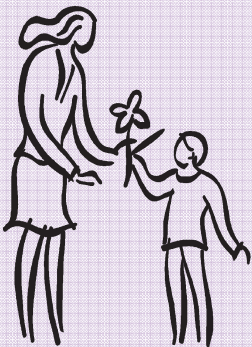
The Division of Family Services screens for domestic violence when a report is made, during an investigation, and when a case is active for treatment. These statistics represent the total number of child abuse, neglect and dependency reports that met the criteria for investigation and that also alleged domestic violence.



Of the 6,883 reports accepted for investigation by DFS in 2010, 1,524 or 22% included allegations of domestic violence. Of those, 981 cases were substantiated for domestic violence.



In 2010, the CD-CP Program Provided Services to 198 Children. Of those, 79 children received services for DV related incidents. CD-CP offers statewide immediate post-trauma counseling and follow-up care to youth and their caretakers to cope with the aftermath of violent and traumatic experiences.



Program Statistics

Children/Adolescents Exposed to DV Children Centered DV Treatment

The Child Development-Community Policing (CD-CP) Program is a mental health program provided by the Delaware Division of Services to Children, Youth and Their Families. This program was originally developed by Yale University to embed Mental Health clinicians with Law Enforcement. The clinicians respond to traumatic and other serious situations that would reasonably impact on a Child's Mental Health. These incidents include: witnessing homicides, rapes, assaults, domestic violence, and other life threatening events.

New Castle County

(Helping Children Heal)

Children/Adolescents Served:	103
Parent/Caretakers Served:	<u>158</u>
Total:	261

Kent & Sussex Counties

(Turning Point)

Children/Adolescents Served:	39
Parent/Caretakers Served:	<u>27</u>
Total:	66

(Crossroads of Georgetown)

Children/Adolescents Served:	29
Parent/Caretakers Served:	<u>37</u>
Total:	66

Program Statistics

The philosophy of the Probation & Parole DV Unit is to hold the offender accountable and to maintain victim safety. In addition to specialized DV Probation Officers, each office has a Domestic Violence Victim Liaison

Department of Correction Probation & Parole Supervised Domestic Violence Offender Data

Probation & Parole has a specialized DV Unit in each county. Domestic violence cases are assigned to the DV Units based on criteria, including offenses, victim/offender relationships, and active PFA orders.

New Castle County Supervision

Number of DV Offenders:	447
Number of Probation Officers Assigned to DV Cases	7
Probationer/Probation Officer Ratio:	45:1
Number of Victims Served by DV Liaison:	122

Kent County Supervision

Number of DV Offenders:	313
Number of Probation Officers Assigned to DV Cases	6
Probationer/Probation Officer Ratio:	52:1
Number of Victims Served by DV Liaison:	259

Sussex County Supervision

Number of DV Offenders:	272
Number of Probation Officers Assigned to DV Cases	5
Probationer/Probation Officer Ratio:	54:1
Number of Victims Served by DV Liaison:	142

DVCC Subcommittees & Other Committees

Children and Domestic Violence

Chairs: Hon. Deborah Hudson and Hon. Vivian Rapposelli

Staff: Cara C. Sawyer

Criminal Justice

Chairs: Hon. James T. Vaughn, Jr., Chief Jeffrey Horvath and Hon. Brendan O ' Neill

Staff: Cara C. Sawyer

Elderly and Domestic Violence

Chairs: Hon. Joseph R. Biden, III, and Geri Lewis-Loper

Staff: Cheryl M. Cooper

Immigration, Northern & Southern Delaware

Chair: Margaret Reyes

Staff: Aimee V. String

Legislative Drafting and Review

Chairs: Hon. Patricia M. Blevins and Hon. Joseph R. Biden, III

Staff: Bridget V. Poulle

Medical

Chair: Dr. Matthew Hoffman

Staff: Aimee V. String

Public Awareness/Education

Chairs: Hon. Liane M. Sorenson and Cindy Mercer

Staff: Cheryl M. Cooper

Treatment

Chairs: Hon. Carl C. Danberg and Hon. Brendan O ' Neill

Staff: Bridget V. Poulle

Other DVCC Committees

Batterers ' Intervention Certification Panel (Staff: Aimee V. String)

Downstate Domestic Violence Committee (Staff: Aimee V. String)

Fatal Incident Review Team - Chairs: Hon. Vincent J. Poppiti and Dana Harrington Conner, Esq.
(Staff: Cara C. Sawyer)

Law Enforcement Training Work Group (Staff: Cheryl M. Cooper)

Training Events

Training fulfills important functions such as increasing public awareness about domestic violence and the community resources available to assist victims and their families. In 2010, a total of 2,184 persons were trained. Training was delivered in a variety of methods including: designing and delivering on-site training for healthcare and other professionals; conducting conferences and trainings for law enforcement, probation and parole officers, schools, and members of the community.

Who We Train/What We Train

A Door of Hope Pregnancy Center Staff
Alpha Kappa Alpha Sorority Teen Debutants
Baylor Correctional Institution Mentoring Program Participants
Brandywine Counselors
Brandywine High School Students
Cab Calloway School of the Arts Students
Christ Presbyterian Church Youth/Parents
Christiana Care Community DV Prevention Forum
Delaware Adolescent Program Participants
Delaware Girl 's Initiative Workshop Participants
Delaware Association of Nurses Fall Conference
Delaware Technical Community College Social Work Classes
Delcastle Technical High School Students
Dover Air Force Base Commanders
Endoscopy Center of Delaware Medical Team
Family Court Intake Clerks
Girls ' Summit High School Teens
Howard High School of Technology Students
John Dickinson High School Students
AOC Judiciary Training
Kingswood Community Center Staff
Lake Forest High School Students
Law Enforcement Annual Statewide Training
Martin Luther King Community Celebration
Mount Carmel Church Community Health Fair
Newark High School Students



Paul M. Hodgson Vocational Technical Students
Project CHANCE Independent Parent Association
Project Stay Free Participants/Staff
Saint Francis Hospital Nurses
Sussex County Foster Parent Cluster
Training on Human Trafficking & Other Related Crimes
University of Delaware Nursing Students
Wesley College Students
Widener University School of Law Students
Woodbridge High School Students

2010 Year in Review

Domestic Violence Statistics

- The total number of DV incidents in Delaware was 28,413; up slightly from the 28,314 in 2009.
- The total number of DV criminal incidents was 15,681; down slightly from 15,905 in 2009.
- The total number of DV criminal incidents that resulted in physical injury was 2,521; down slightly from 2,912 in 2009.

Intimate Partner Statistics

- 45% of all Domestic Violence Incidents took place between intimate partners.
- There were 7,113 criminal incidents of Intimate Partner Domestic Violence; this is down slightly from 7,328 incidents in 2009.
- There were 144 dual arrests made statewide, this means that 2% of all Intimate Partner criminal Domestic Violence incidents were dual arrests.
- 77% of Intimate Partner Domestic Violence victims were female in 2010.

Protection From Abuse Order Statistics

- Family Court processed 3,254 Protection From Abuse (PFA) Petitions.
- 1,480 additional Ex-Parte Orders (Temporary 10 day Emergency Order) were issued.
- There were 1,673 Protection From Abuse Orders issued statewide. This number is down slightly from 1,731 issued in 2009.
- 479 PFA petitions were dismissed because the petitioner voluntarily dismissed them.
- 137 PFA petitions were dismissed because abuse was not found by a preponderance of the evidence.
- 965 PFA petitions were dismissed when the petitioner failed to appear for the hearing.

Hotline Statistics

- There were a total of 2,234 Domestic Violence hotline calls received in New Castle County.
- There were a total of 1,444 Domestic Violence hotline calls received in Kent and Sussex Counties.
- Statewide, there were 3,678 Domestic Violence hotline calls received. This is up from 3,144 calls in 2009.

Shelter Statistics

- In New Castle County, 174 women and 163 children were sheltered for a total of 337 women and children.
- In Kent and Sussex Counties, 108 women and 104 children were sheltered for a total of 212 women and children.
- 549 women and children received shelter services statewide. This number is down slightly from 561 in 2009.

**Delaware
Fatal Incident
Review Team
Report**

2011

Table of Contents

24	Introduction
25	Review Team and Participants
26	Domestic Violence Fatal Incident Cases
27	Impact of DV on Children
28-32	Intimate Partner Data
33-34	Non-Intimate Partner Data
35-36	DV Related Suicides/Undetermined Deaths Data
37	Year in Review
38-48	FIRT Recommendations & Responses

The purpose of the Domestic Violence Coordinating Council 's Fatal Incident Review Team is to review Domestic Violence Fatalities to identify trends and gaps in services in order to reduce domestic violence deaths in the future.

Introduction

Domestic Violence continues to be a devastating problem and deaths resulting from this crime are the ultimate acts of abuse. This report contains 100 cases reviewed over 14 years. In some of these cases the victims had taken steps to protect themselves and/or their families from their abusive partner. Despite their efforts, some victims and/or the people they loved died at the hands of the abusive partner.

The Review Team members are dedicated professionals who conduct system audits of State agencies and private organizations that had contact with the deceased victim and/or the alleged perpetrator to assess the system 's response.

Legislation mandates confidentiality requirements in the review process and any records created therein are exempt from the provision of the Freedom of Information Act. Therefore, all records of the reviews are confidential and are maintained in the DVCC office and may only be used by the Domestic Violence Coordinating Council in the exercise of its proper function. More information can be found at: 13 Del. C. § 2105.

Although domestic violence fatality reviews are retrospective in nature, their purpose is prospective. Reviews focus on identifying trends, patterns and obstacles in services, assessing agency interventions, and most importantly, developing practical recommendations aimed at improving the system and preventing future injury and death.

Review Team Members & Participants

Co-Chairs

Honorable Vincent J. Poppiti, Domestic Violence Coordinating Council

Dana Harrington Connor, Domestic Violence Coordinating Council

Members and Participants

According to 13 Del. C. § 2105, in addition to the co-chairs, the Review Team shall consist of 8 other core members.

- The Attorney General or the Attorney General's designee,
- The Director of the Division of Family Services or the Director's designee,
- A victim advocate appointed by the Domestic Violence Coordinating Council,
- The Chief Judge of the Family Court or the Chief Judge's designee,
- The Chief Magistrate of the Justice of the Peace Courts or the Chief Magistrate's designee,
- The Secretary of the Department of Education or the Secretary's designee,
- The Director of the Division of Substance Abuse and Mental Health, or the Director's designee,
- A law-enforcement officer to be appointed by the Delaware Chiefs of Police Council.

All members of the Review Team, plus other individuals invited to participate, shall be considered part of the review panel for a particular case or incident. The Review Team shall invite other law-enforcement personnel to serve and participate as full members of a review panel in any case in which a law-enforcement agency has investigated the death or near death under review or any prior domestic violence incident involving the decedent or near death victim. The Review Team may also invite other relevant persons to serve on an ad-hoc basis and participate as full members of the review panel for a particular review. Such persons may include, but are not limited to, individuals with particular expertise that would be helpful to the review panel, representatives from those organizations or agencies that had contact with or provided services to the individual prior to that individual's own death or near death, that individual's abusive partner or family member and/or the alleged perpetrator of the death or near death.

Domestic Violence Fatal Incident Cases

The information contained in this report represents data collected from 100 cases reviewed by FIRT. These fatalities occurred over a period of 14 years. The fatality cases contained in this report occurred between 1996 and 2010. However, because cases cannot be reviewed until prosecution is completed, not all of the cases that occurred between those years appear in this report (13 Del. C. § 2105).

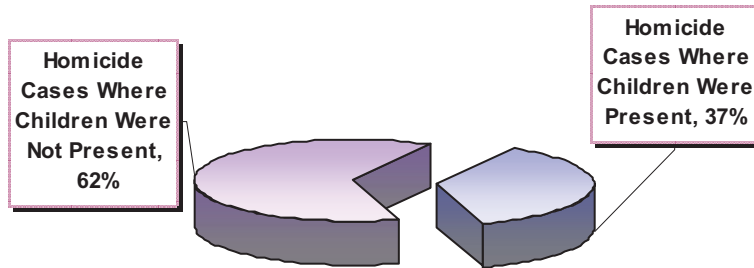


Homicide Victims	Perpetrator Suicides Following Homicides	Suicide Only	Undetermined Victim Deaths
89	22	16	1

Impact of Domestic Violence on Children

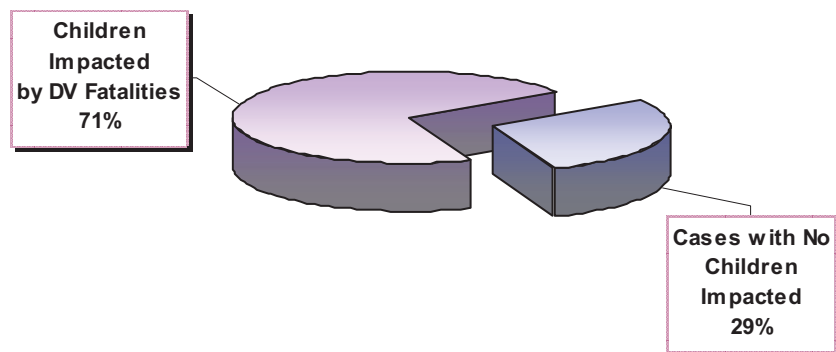
Delaware law qualifies that a child can be a witness to an act of domestic violence by sound as well as sight, acknowledging that a child may have only heard the violent act from another room, but nonetheless be a witness who is emotionally impacted by it. In 37 or 37% of the 100 cases reviewed in this report, children were present when the fatality occurred.

Children Present During DV Fatalities



Domestic violence affects every member of the family, including the children. Family violence creates a home environment where children live in constant fear. The ultimate form of domestic violence – homicide – has devastating life-long effects on those children left behind.

Children Impacted by DV Fatalities

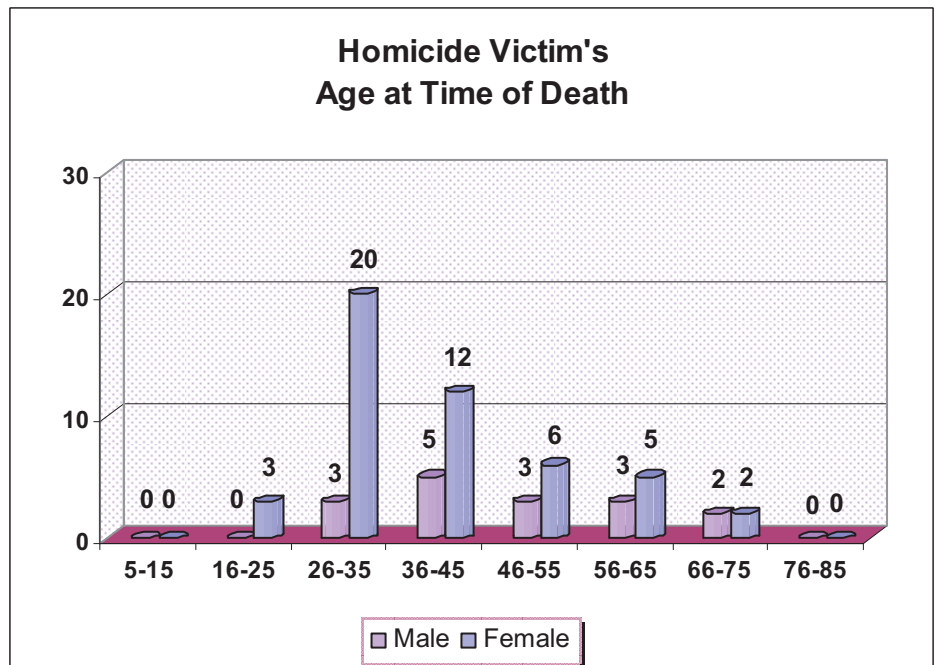
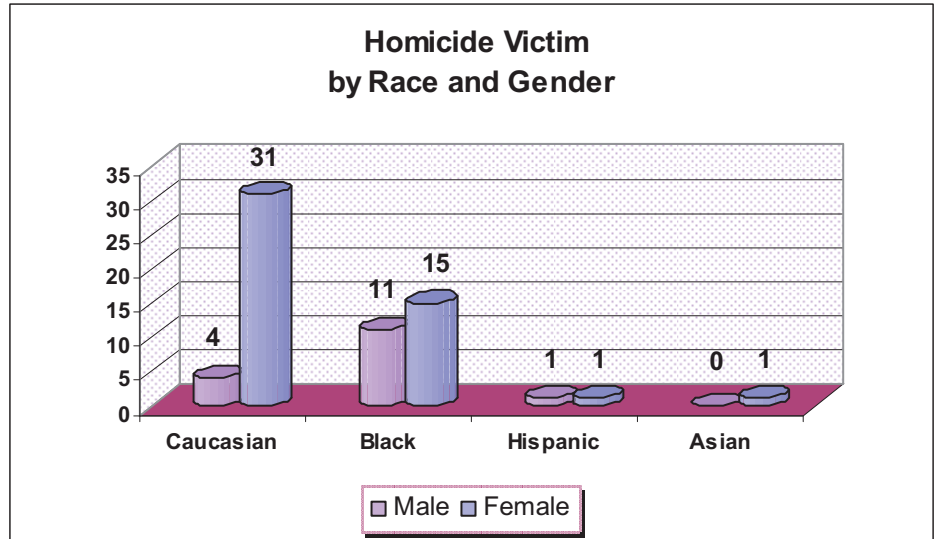


In the 100 cases in this report, 98 children lost a parent due to domestic violence.

The term “Intimate Partner” includes current and former spouses, current and former dating couples with or without a child in common and dating couples. Intimate Partners may be the same gender.

Intimate Partner Data

Of the 89 homicide deaths included in this report, 64 were the result of Intimate Partner homicide.



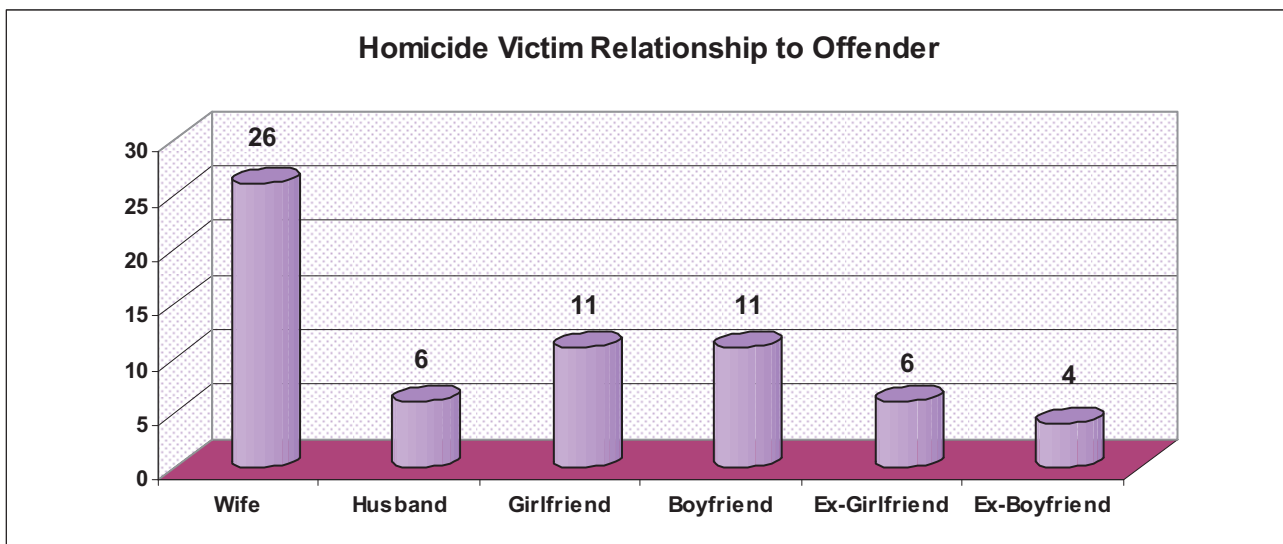
Intimate Partner Data



Homicide Victim Cause of Death

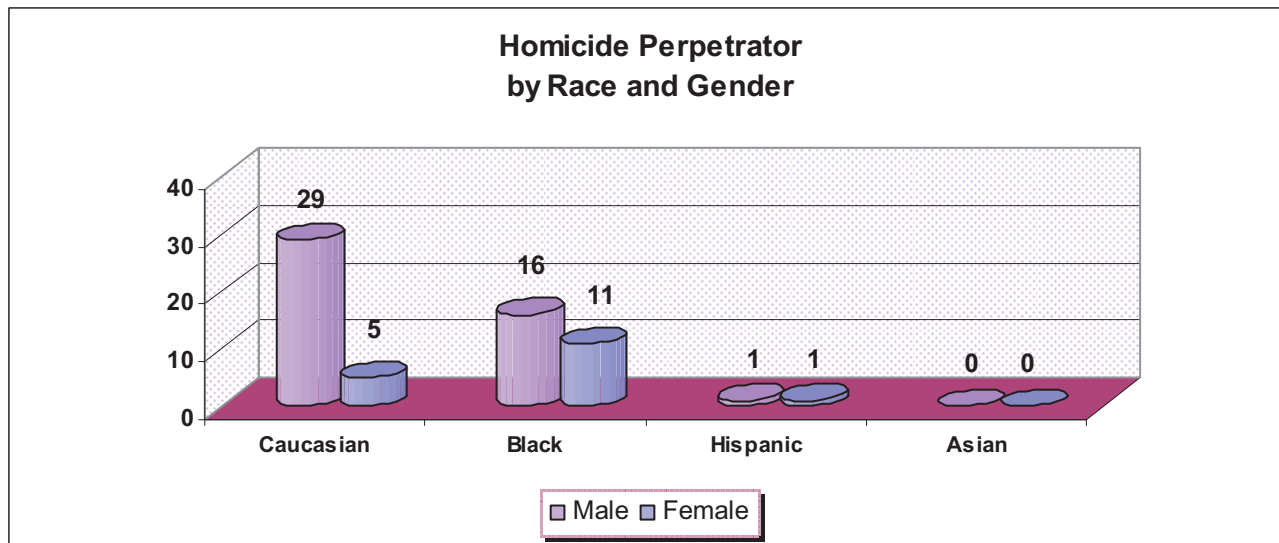
More than half of the 89 homicides included in this report were the result of Intimate Partner violence. Of the 64 intimate partner homicides, half of them (32) were committed by firearm. Nineteen (19) of the homicides were stabbing deaths, five (5) were the result of strangulation and five (5) homicides were from the multiple causes of strangulation, stabbing and blunt force trauma, two (2) homicides were caused by blunt force trauma and one (1) was the result of arson.

Of the 64 Intimate Partner homicides, 31 or 48% of the homicides occurred when the victim attempted to leave or had ended the relationship with the perpetrator.

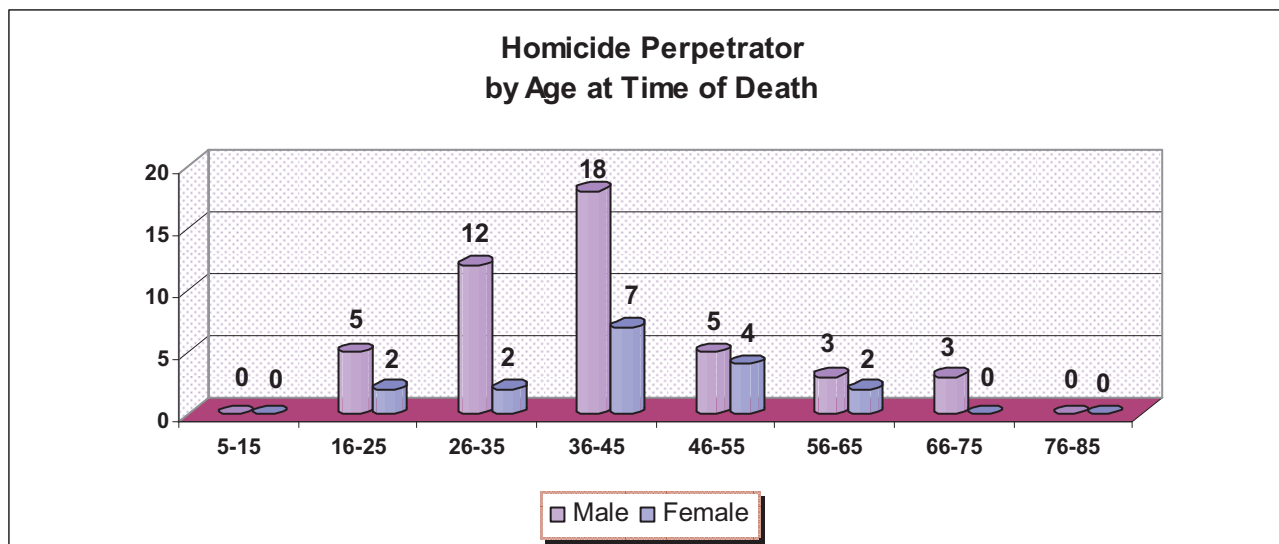


Intimate Partner Data

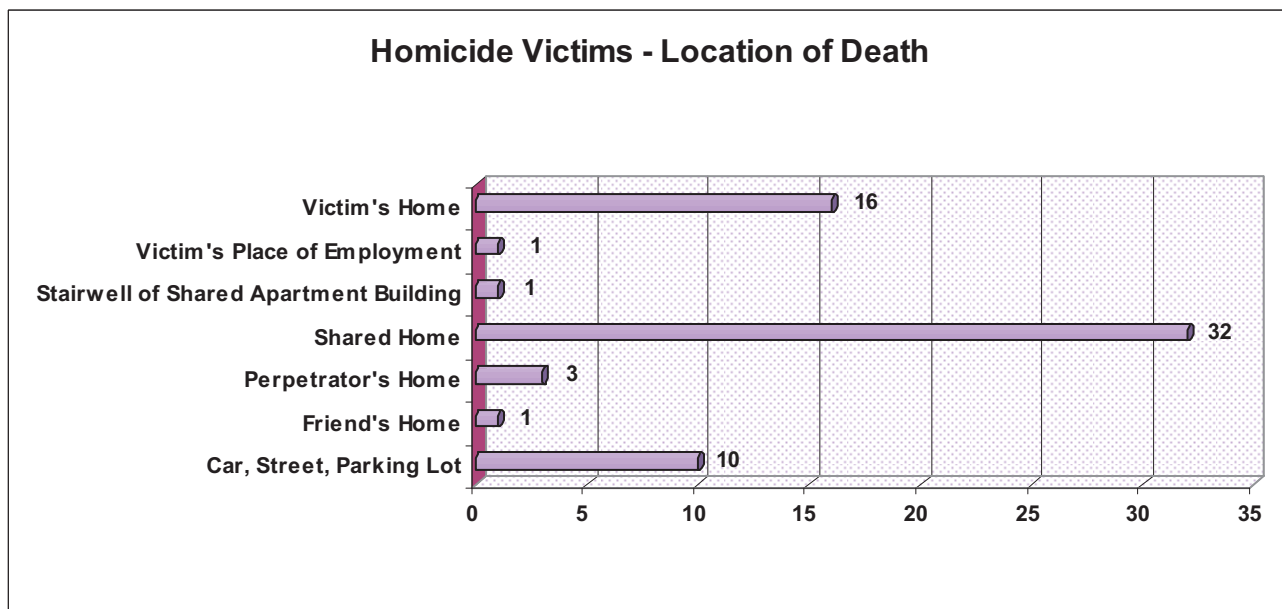
63 perpetrators were responsible for the 64 Intimate Partner homicides in this report.



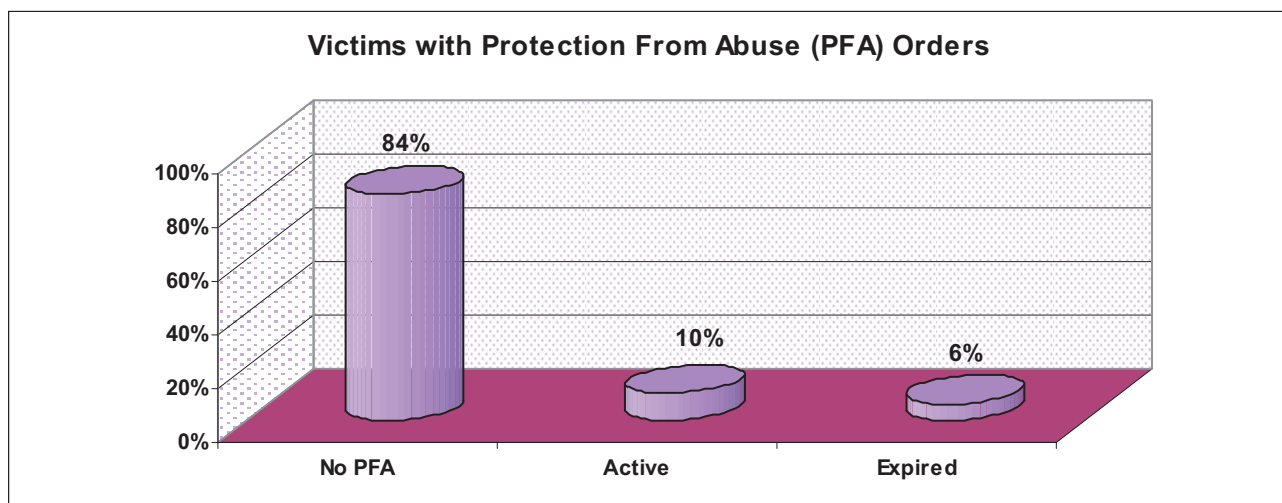
Almost 48% of the Intimate Partner homicides perpetrators were males between the ages of 26 and 45. There are 63 Intimate Partner homicide perpetrators in this report. Of those 46, 73% of the perpetrators were male and 17 or 27% of the perpetrators were female.



Intimate Partner Data



A Protection From Abuse Order (PFA) is issued by Family Court ordering someone to stop abusing another person.

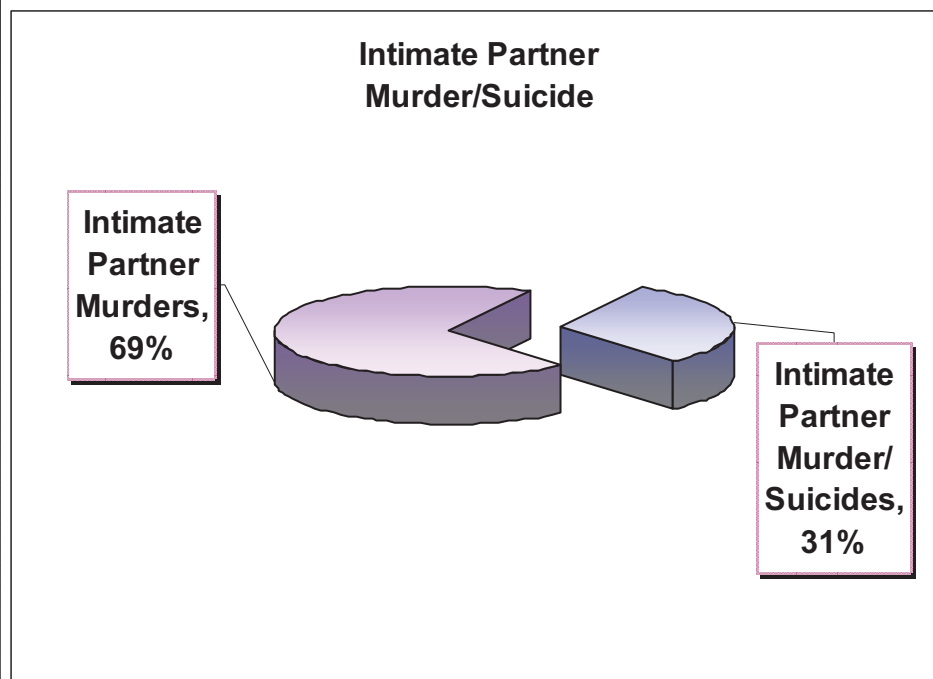


Of the 100 cases reviewed in this report, 84% of the victims never had a Protection From Abuse Order.

Intimate Partner Data

22 or 34% of the Intimate Partner fatalities resulted from murder/suicide.

The term “Murder/Suicide” refers to those cases where the perpetrator murdered the victim and then committed suicide.

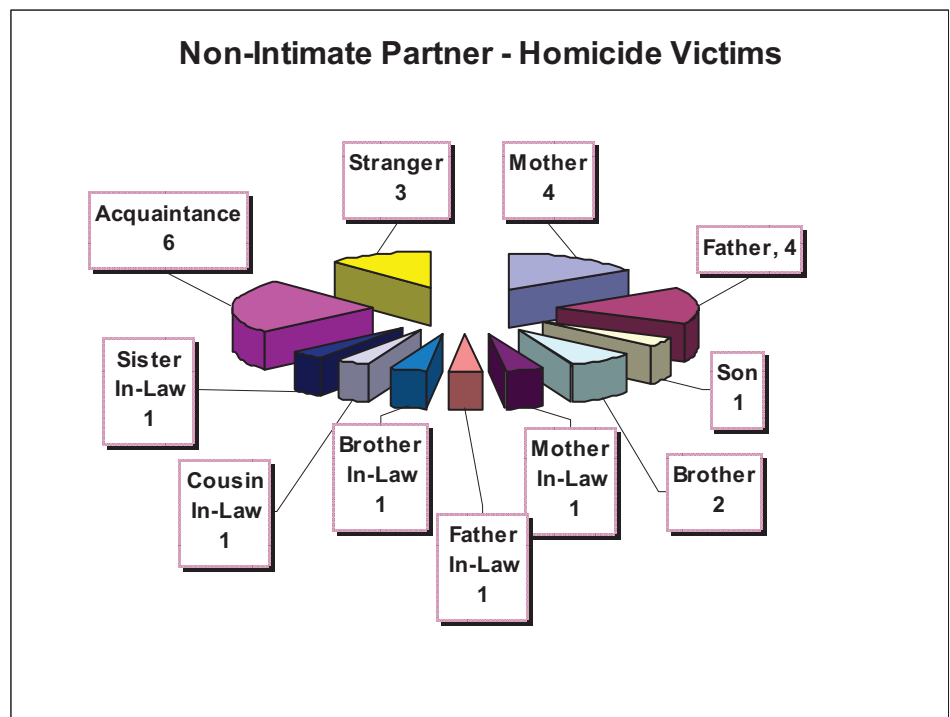


Of the 64 Intimate Partner fatalities included in this report, 22 or 34% resulted from murder/suicide. There were 22 murder/suicide cases. Of those, 20 or 91% of the perpetrators were male and 2 or 10% of the perpetrators were female.

Non-Intimate Partner Data

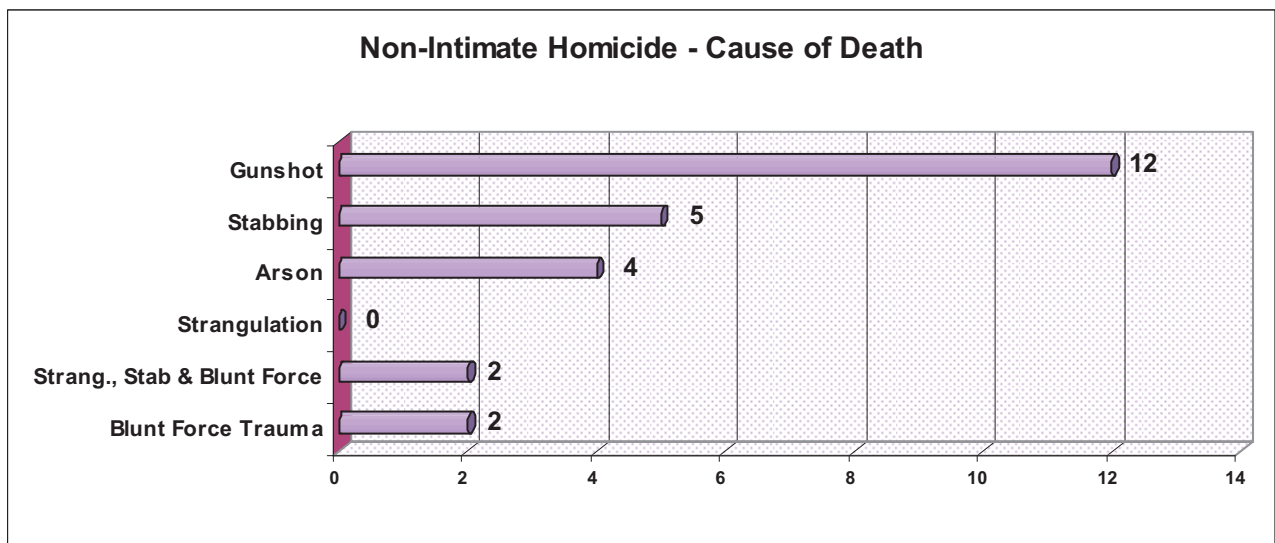
Of the 89 homicides included in this report, 25 or 28% were “ Non-Intimate Partner ” homicides.

“ Non-Intimate Partners ” are individuals who are not intimate partners, but have a familial relationship, such as, mother/adult son, or brother/sister. Also included in these homicide numbers are victims who were bystander victims (friends, acquaintances or strangers).



Non-Intimate Partner Data

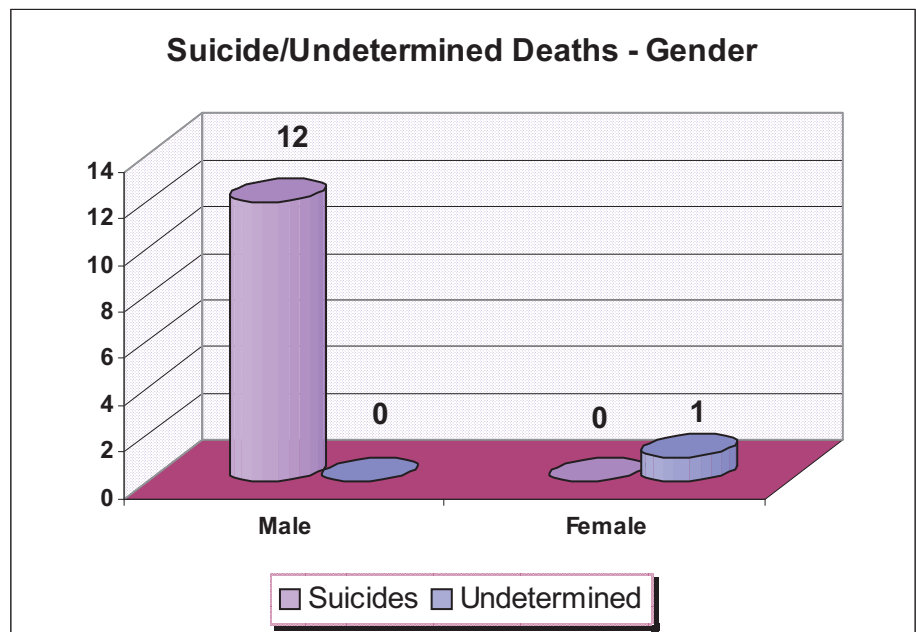
Of the 25 Non-Intimate Partner homicides in this report, eight (8) of the deaths occurred at the shared home of the victim and the perpetrator. Eight (8) of the deaths occurred at the victim 's home. Four (4) of the deaths occurred at the perpetrator 's home, two (2) of the deaths occurred in a car, on the street or in a parking lot, one (1) at an acquaintance/friend 's home, one (1) at the perpetrator 's girlfriend 's home and one (1) at the victim 's place of employment.



“Domestic Violence related Suicides” are victims or perpetrators who have taken their own lives and have had a significant history of abuse by or toward their partner.

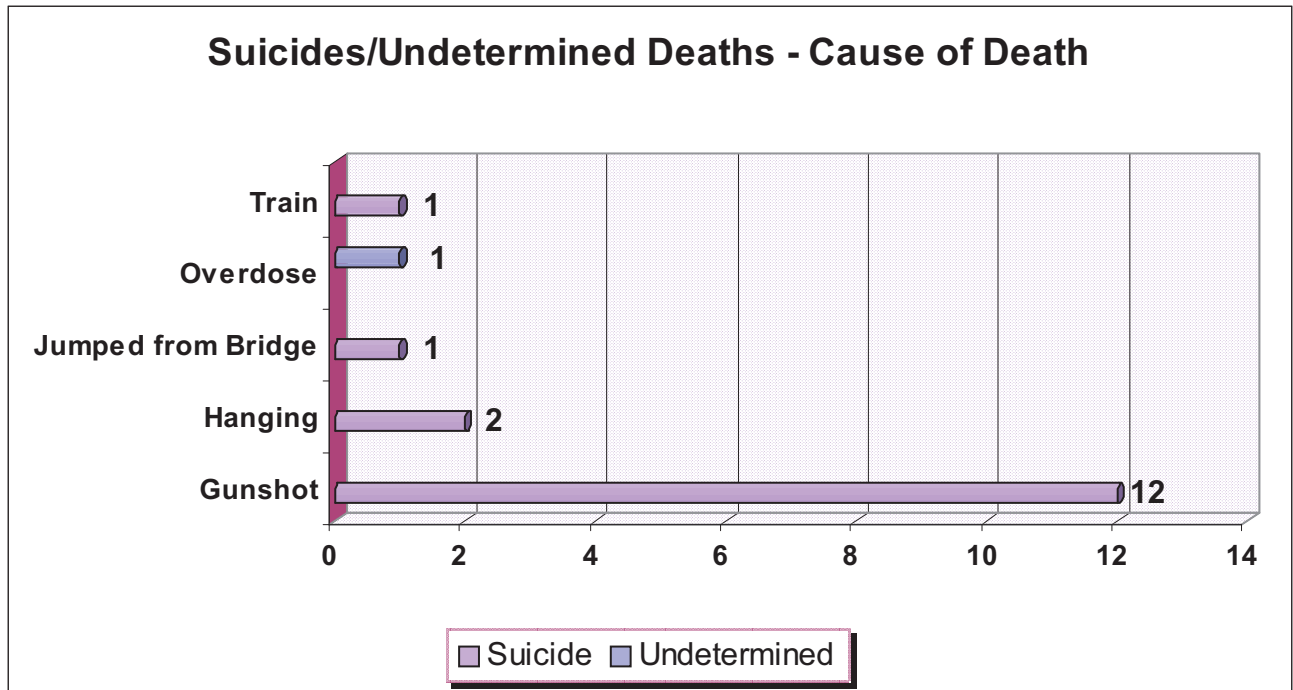
Suicides & Undetermined Deaths

Manner of death is the classification of categories used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined. The manner of death is based upon the cause and circumstances of a case and varies according to each case. Insufficient or conflicting information affects the Medical Examiner’s ability to make a final determination as to the manner of death. If a case lacks a clear indicator as to whether or not the death was intentionally caused by another or accidental, this case will remain suspicious in nature and the exact manner of death will be undetermined.



Of the 17 Domestic Violence related suicides and undetermined deaths, 13 of the suicides were male perpetrators. Four (4) of these were female victims. One of these female deaths was undetermined.

Suicides & Undetermined Deaths



There were a total of 17 domestic violence related suicides, including one undetermined death. Of those 17 domestic violence related suicides/undetermined deaths the victim's death was a result of a firearm in 12 or 71% of the cases. Two (2) of the deaths resulted from hanging. And one death each resulted from jumping from a bridge, suicide by train, and overdose.

Of the 17 total suicides/undetermined death, five (5) of them took place at the victim's home. Four (4) of them occurred at a family or friend's home, three (3) took place in a car, street or parking lot and three (3) of them happened in a shared home of the victim and perpetrator and one (1) happened at the ex-spouse's home.

2010 Year in Review

Children and Domestic Violence Fatality

- Of the 100 cases in this report, 71% of the cases impacted children. Of the 100 cases in this report, 98 children lost a parent due to domestic violence.

Intimate Partner Domestic Violence Homicide

- 70% of the homicides recorded in this report were Intimate Partner homicides. 75% of those deaths were female victims. Of those females, 54% were current wives or former wives. 42% of the female victims of Intimate Partner homicide were between the ages of 26 and 35.
- 48% of the Intimate Partner homicides included in this report occurred when the victim ended the relationship or attempted to leave.
- 75% of the Intimate Partner homicides included in this report occurred in the victim ' s own home or the shared home of the victim and the perpetrator.
- 73% of the Intimate Partner homicide perpetrators in this report were male. Of those males, 65% were between the ages of 26 and 45.
- 31% of the reported Intimate Partner homicides resulted in murder/suicide. 91% of the perpetrators of Intimate Partner murder/suicides included in this report were male.

Firearms and Domestic Violence Fatalities

- 50% of the Intimate Partner homicides in this report were the result of a shooting.
- 48% of the Non-Intimate Partner homicides in this report were the result of a shooting.
- 71% of the Domestic Violence Related suicides in this report were the result of a shooting.

Domestic Violence Related Suicide

- 76% of the Domestic Violence Related Suicides in this report were male DV perpetrator.
- 31% of the Domestic Violence Related Suicides in this report occurred in the victim ' s home.

Protection From Abuse Orders

- 90% of the homicide victims in this report did not have an active PFA at the time of the fatality.

FIRT Recommendations & Responses for Improving System Response

The ultimate purpose for reviewing domestic violence fatalities is to reduce the incidence of such deaths. At the end of each case review, following the presentation of information, team members are asked if they have any recommendations for improving the system response to domestic violence.

The 2010 FIRT Recommendations were sent to relevant agencies and organizations throughout the State. The Responses to those Recommendations are listed below in **BOLD**.

The Domestic Violence Coordinating Council is extremely grateful to the participating agencies for their commitment towards the mission to improve the system's response to domestic violence. We are fortunate to have the high level of co-operation demonstrated by the agencies' response to the Fatal Incident Review Team's recommendations.



COURTS

Recommendation:

Family Court should research best practices to determine if it is necessary to use a Risk Assessment tool for evaluating requests to ex parte PFA proceedings.

Family Court Response:

The Court has researched domestic violence risk assessment instruments and has determined that there is not an instrument validated to determine whether someone should be granted *ex parte* relief and that the use of a risk assessment is not necessary for that determination. The Court relies on the evidence and testimony presented when determining whether to grant *ex parte* relief in accordance with Title 10, Section 1043 of the Delaware Code.

Delaware State Bar Association—Family Law Section

Recommendation

The DVCC should assist the Family Law Section of the Delaware State Bar Association with providing additional training to attorneys, particularly those practicing family law, in identifying the level of risk, and making appropriate referrals for services and assistance with safety planning.

Delaware State Bar Association—Family Law Section Response:

Our members would be happy to have someone come in and provide us with information regarding identifying levels of risk. The Family Law Section of the Delaware Bar Association is working with the DVCC to plan a training session which would address how attorneys that work with domestic violence victims can identify their client 's risk level and how to put them in contact with shelters and/or advocates that would be able to safety plan with these individuals.

Delaware Coalition Against Domestic Violence

Recommendation:

The DVCC and the Delaware Coalition Against Domestic Violence should ensure that all trainings and outreach highlight the danger to male victims in Domestic Violence relationships because of the likelihood that male victims will not recognize the warning signs of a dangerous and potentially fatal relationship.

Delaware Coalition Against Domestic Violence Response:

DCADV 's training and outreach activities provide information on services and resources for all victims of domestic violence including male victims.

Domestic Violence Coordinating Council

Recommendation:

The DVCC should assist the Family Law Section of the Delaware State Bar with providing additional training to attorneys, particularly those practicing family law, in identifying the level of risk, and making appropriate referrals for services and assistance with safety planning.

Domestic Violence Coordinating Council Response:

The DVCC is in the process of planning training for the Delaware Bar Association, Family Law Section which would address how attorneys that work with domestic violence victims can identify their client 's risk level and how to put them in contact with shelters and/or advocates that would be able to safety plan with these individuals. Additionally, we have provided Resource Cards to the Family Law Section so that the attorneys can have them on hand to put their clients in touch with the appropriate agencies that have trained professionals to help these individuals.

Recommendation:

The DVCC and the Delaware Coalition Against Domestic Violence should ensure that all trainings and outreach highlight the danger to male victims in Domestic Violence relationships because of the likelihood that male victims will not recognize the warning signs of a dangerous and potentially fatal relationship

Domestic Violence Coordinating Council Response:

The DVCC 's trainings and outreach address a very broad scope of domestic violence across all types of domestic relationships, including those dynamics in a situation where the male is the victim and the female is the perpetrator.

Law Enforcement

Recommendation:

All Law Enforcement agencies in Delaware should sign warrants on the victims ' behalf for any violation of a Family Court Protection From Abuse (PFA) Order.

Camden Police Department Response:

The Camden Police Department follows the above recommendation. According to the Camden Police Department ' s Standard Operating Procedure 16-6 Domestic Violence:

VI. PROTECTION FROM ABUSE ORDERS

A. Enforcement: A Protection from Abuse Order is a civil order entered by the Family Court to protect family members, former spouses, cohabitant or persons living separately with a child in common from acts of domestic violence. These orders can be obtained on an emergency basis by application to Family Court by anyone in the protected class. The petitioner is given a copy of the order. Any violation of these orders is a criminal contempt under Title 11, section 1271 A, a misdemeanor.

1. Violations of PFA's are criminal offenses and arrests shall be made where probable cause exists that a violation has occurred. Violations are a warrant less arrest exception and if the officer is unable to affect the arrest, a warrant should be obtained as soon as possible.

City of Rehoboth Beach Police Department Response:

The City of Rehoboth Beach Police Departmental Directives, Directive #41.3; Domestic Violence, has been updated on May 19, 2011 to reflect the recommendations of the Coordinating Council.

Dagsboro Police Department Response:

The above recommendation is accepted practice at the Dagsboro Police Department.

Delaware River and Bay Authority Police Response: The Delaware River and Bay Authority Police currently comply with the above recommendation and will reiterate this to the patrol divisions.

Delaware State Police:

With the assistance of Cpl/3 Adrienne Owen, Delaware State Police Domestic Violence Coordinator, and our Planning Section, we have reviewed our Domestic Violence Policy. The review revealed that we are in compliance with the recommendation that all law enforcement agencies should sign warrants on the victim ' s behalf for any violation of a Family Court Protection From Abuse Order. During our policy review, we observed some areas that were in need of clarification. Those changes have been reviewed and inserted onto our policy. The Delaware State Police Domestic Violence Policy will be included in an up-coming division-wide shift briefing packet for all troopers to review.

Law Enforcement Continued

Division of Parks and Recreation State Parks Enforcement Response:

Officers from the Division of Parks and Recreation (State Parks Enforcement) currently adhere to this Recommendation.

Dover Police Department Response:

Dover police has the above recommendation as part of its policy and adheres to this.

Elsmere Bureau of Police Response:

The officers of the Elsmere Bureau of Police are encouraged to sign warrants in misdemeanor domestic violence cases. However, due to time constraints and manpower it is not always feasible for officers to sign warrants in every misdemeanor domestic violence incident. We recognize the need for strict enforcement and would support a procedure that could simplify the domestic violence misdemeanor warrant process for law enforcement.

Greenwood Police Department Response:

We follow the Fatal Incident Review Team 's recommendations. The Greenwood Police department strives to protect our victims from these perpetrators. The department has a Domestic Violence policy in effect.

Laurel Police Department Response

Laurel Police Department follows the above recommendation.

Milton Police Department Response:

Milton police department follows the recommendation above.

New Castle City Police Department Response:

The police department of New Castle City has followed this recommendation for some time now. The department agrees with this recommendation and it is part of their policy.

Law Enforcement Continued

New Castle County Police Department Response:

The New Castle County Police has a strict domestic violence policy that recognizes the need for law enforcement intervention when the victim is unwilling, reluctant or unable to pursue the matter themselves. Our policy mandates officers to make on-scene arrests when a PFA is violated and the violator is present. Additionally, officers are mandated to seek an arrest warrant for a violation that is the result of violence or the threat of violence and the violator is no longer present. Officers, within their discretion, are permitted to provide the victim with a copy of the PFA violation report and refer them to Family Court when the violation is of a non-violent nature. We stand by our policy and are proud of the services we provide victims of domestic violence. We are not in agreement with a policy that would mandate officers to sign warrants on the victims ' behalf for all violations of a Family Court Protection From Abuse (PFA) Order.

Newport Police Department Response:

Newport Police Department signs warrants if a suspect is in violation of a Protection From Abuse Order wherever possible. The letter sent to the police department will be shared with each officer as a reminder and to make them aware of the exact policy recommendations.

Ocean View Police Department Response:

When applicable, the Ocean View Police Department members will follow the procedures recommended when responding to Domestic Violence incidents.

South Bethany Police Department Response:

South Bethany Police has made amendments to the departmental Domestic Violence Policy per this recommendation. In Section IV. B. 1. of the policy, it states, "Officers of the South Bethany Police shall sign a warrant on the victim ' s behalf for any violation of a Family Court Protection From Abuse Order. "

Seaford Police Department Response:

Seaford Police Department recently updated their Domestic Violence Response Standard Operating Procedures and distributed it to all of our officers in May of 2011. The relevant portion is as follows:

VI. PROTECTION FROM ABUSE ORDERS:

All Seaford Police officers should sign warrants on the victims ' behalf for any violation of a Family Court Protection From Abuse (PFA) Order.

Law Enforcement Continued

The University of Delaware Police Response:

The University of Delaware Police will sign warrants on the victims ' behalf for any violation of a Family Court Protection from Abuse (PFA) Order.

Wilmington Police Department Response:

The Wilmington Police Department Directive: 6.19 DOMESTIC COMPLAINT PROCEDURES states in Section II.E.:

“ It shall be the duty of any law enforcement officer to arrest with or without a warrant any person whom the officer has probable cause to believe has violated a protective order issued by the court and of which the person has notice or knowledge. ” 10 Del.C. § 950 (c).

Additionally Section F. Officer ' s Discretion in Arrests for Violation of a Civil Order for Protection from Abuse states:

An officer has no discretion in situations involving violations of a Civil Order for Protection From Abuse. The violation need not be committed in the officer ' s presence. If a Civil Order for Protection from Abuse is or can be established to be in effect and a party provides an officer with probable cause to establish that a violation has been committed the officer has a duty to arrest.

If an arrest cannot be made for any reason, but, a violation of a protective order has been established the officer shall submit a crime report under the offense of “ Criminal Contempt of a Family Court Protective Order ” and include the appropriate section – 11 Del.C. § 1271A.

The officer will then escort the victim to Family Court if open and ensure that a warrant be issued for the above offense. If Family Court is not in session, the nearest Justice of the Peace Court shall be used.

If the victim is unwilling, or unable to respond to court to obtain a warrant, it is the responsibility of the officer to personally obtain the warrant. The affidavit of probable cause should contain the specific language of the Order that has been violated along with the dates the Order is effective and the information on the parties and witnesses. The warrant will be processed through the Automated Warrant Project.

Wyoming Police Department Response:

Although Wyoming police department already follows the above recommendation, the department plans to put together a new general order that will be in effect by the end of June 2011.

Law Enforcement Continued

Recommendation:

Law Enforcement officers should check with DELJIS when responding to Domestic Violence incidents to determine whether there are any unserved Protection from Abuse Orders. If so, Law Enforcement should effectuate service of the PFA order and enter service into DELJIS.

Camden Police Department Response:

Camden Police Department would not include this recommendation as part of a policy. There is concern with an officer running this information while responding to a call, which will cause response time to go up, or could cause the officer to be involved in a motor vehicle accident. Camden Police Department would rather see this recommendation addressed with the dispatch centers.

City of Rehoboth Beach Police Department Response:

The City of Rehoboth Beach Police Departmental Directives, Directive #41.3; Domestic Violence, has been updated on May 19, 2011 to reflect the recommendations of the Coordinating Council.

Dagsboro Police Department Response:

The above recommendation is accepted practice at the Dagsboro Police Department.

Delaware River and Bay Authority Police Response: The Delaware River and Bay Authority Police currently comply with the above recommendation and will reiterate this to the patrol divisions.

Delaware State Police Response:

With the assistance of Cpl/3 Adrienne Owen, Delaware State Police Domestic Violence Coordinator, and our Planning Section, we have reviewed our Domestic Violence Policy. The review revealed that we are in compliance with the recommendation that law enforcement officers should check with DELJIS when responding to Domestic Violence incidents to determine whether there are any Protection From Abuse Orders that have not been served. During our policy review, we observed some areas that were in need of clarification. Those changes have been reviewed and inserted onto our policy. The Delaware State Police Domestic Violence Policy will be included in an up-coming division-wide shift briefing packet for all troopers to review.

Law Enforcement Continued

Division of Parks and Recreation State Parks Enforcement:

Officers from the Division of Parks and Recreation (State Parks Enforcement) currently check DELJIS for outstanding PFA ' s when dealing with a Domestic Violence issue.

Dover Police Department Response:

Dover police has the above recommendation as part of its policy and adheres to this.

Elsmere Bureau of Police Response:

The Elsmere Bureau of Police checks all subjects in DELJIS while responding and arriving to all complaints including domestic violence incidents. If it is determined that an individual has not been served with their PFA Order an officer will effectuate service and enter same into DELJIS.

Greenwood Police Department Response:

We follow the Fatal Incident Review Team ' s recommendations. The Greenwood Police department strives to protect our victims from these perpetrators. The department has a Domestic Violence policy in effect.

Laurel Police Department Response:

Laurel Police Department follows the above recommendation.

Milton Police Department Response:

Milton police department follows the recommendation above.

New Castle City Police Department Response:

The police department of New Castle City has followed this recommendation for some time now. The department agrees with this recommendation and it is part of their policy.

New Castle County Police Department Response:

The New Castle County Police supports this recommendation. Each officer is trained to check for the presence of active PFA Orders through DELJIS. Our domestic violence policy directs officers on the proper way to effectuate and record the service in DELJIS.

Law Enforcement Continued

Newport Police Department Response:

Newport Police Department checks for unserved PFA orders when responding to Domestic Violence incidents wherever possible. The letter sent to the police department will be shared with each officer as a reminder and to make them aware of the exact policy recommendations.

Ocean View Police Department Response:

When applicable, the Ocean View Police Department members will follow the procedures recommended when responding to Domestic Violence incidents.

Seaford Police Department Response:

Seaford Police Department recently updated their Domestic Violence Response Standard Operating Procedures and distributed it to all of our officers in May of 2011. The relevant portion is as follows:

VI. PROTECTION FROM ABUSE ORDERS:

Seaford Police officers should check with DELJIS when responding to Domestic Violence incidents to determine whether there are any unserved Protection From Abuse Orders. If so, officers should effectuate service of the PFA Order and enter service into DELJIS.

University of Delaware Police Response:

The University of Delaware Police regularly check with DELJIS when responding to any domestic related incident for un-served PFA orders.

Law Enforcement Continued

Wilmington Police Department Response:

The Wilmington Police Department Directive: 6.19 DOMESTIC COMPLAINT PROCEDURES states in Section II.E;

If an individual indicates that a Civil Order exists, but does not have a copy, an officer should access DELJIS to determine if a valid Protection Order exists.

If an officer encounters a victim who has a Protection From Abuse Order (PFA), however, the respondent has not been served, contact can be made and the officer can serve the PFA. "The officer shall inform the respondent of the order, make a reasonable effort to serve the order upon the respondent (accused) and allow the respondent (accused) a reasonable opportunity to comply with the order before enforcing the order." 10 Del. C. § 1046 (d)

Wyoming Police Department Response:

Although Wyoming police department follows the above recommendation, the department plans to put together a new general order that will be in effect by the end of June 2011.

If you are in danger, please call 911.

Domestic Violence/Rape Crisis 24 –Hour Hotline Numbers

New Castle County

Domestic Violence	302-762-6110
Rape Crisis	302-761-9100

Northern Kent

Domestic Violence	302-678-3886
-------------------	--------------

Kent & Sussex

Domestic Violence	302-422-8058
Rape Crisis	800-262-9800
Bi-lingual Hotline	302-745-9874

DVCC Main Office

New Castle County Courthouse
Suite 9425
500 N. King Street
Wilmington, DE 19801

Phone: 302-255-0405

Fax: 302-255-2236

www.dvcc.delaware.gov

DVCC Kent & Sussex County Office

Milford State Service Center
Suite 105
13 S. W. Front Street
Milford, DE 19963

Phone: 302-424-7238

Fax: 302-424-5311

www.dvcc.delaware.gov

Domestic Violence Coordinating Council

www.dvcc.delaware.gov