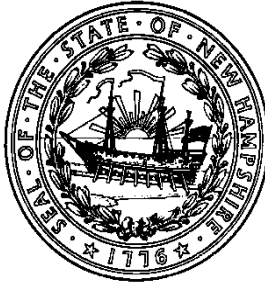
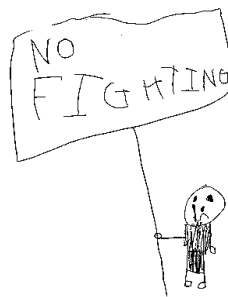


THE STATE OF NEW HAMPSHIRE



GOVERNOR'S COMMISSION
ON DOMESTIC AND SEXUAL VIOLENCE

**DOMESTIC VIOLENCE
FATALITY REVIEW COMMITTEE**



FOURTH ANNUAL REPORT
May 2004

STATE OF NEW HAMPSHIRE
GOVERNOR'S COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE

CRAIG R. BENSON
GOVERNOR



PETER W. HEED, CHAIR
ATTORNEY GENERAL

May 2004

His Excellency Craig Benson and New Hampshire Citizens:

The Domestic Violence Fatality Review Committee is pleased to present its Fourth Annual Report. The Committee was created by Executive Order of Governor Jeanne Shaheen on July 14, 1999. Governor Shaheen was one of the first governors in the country to recognize the value of interdisciplinary collaboration to end domestic violence by supporting a Domestic Violence Fatality Review Committee. We are pleased that Governor Benson continues to support this important work.

The Fatality Review Committee examines domestic violence homicides with two principal goals:

1. To continue informing the public about the insidious nature of domestic violence and motivating the public to find solutions to end domestic violence; and
2. To identify systemic changes within all the organizations and agencies that work with domestic violence victims, offenders and families to learn new ways of reducing the number of fatalities by better identification of risk factors and improvement in the coordination of services that our State provides.

Our Fourth Annual Report contains several new recommendations for New Hampshire. The response to our first three reports has been extraordinary. Numerous organizations, agencies, departments and branches of government have implemented many of the Committee's recommendations. The responses are included in this report, in addition to new recommendations from the cases reviewed over the past year.

The Committee is grateful for the support of all these groups as we work together to provide safety in our communities for all New Hampshire children and adults.

Respectfully submitted for the Committee,

A handwritten signature in cursive script, appearing to read "Susan B. Carbon".

Susan B. Carbon, Chair
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TDD Access: Relay NH 1-800-735-2964

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DEDICATION

This Fourth Annual Report is dedicated to the memory of Barry L. MacMichael (1947-2004), the Director and Co-Director of the New Hampshire Coalition Against Domestic and Sexual Violence from 1980 to 1997. Barry was a life-long, inspirational activist whose commitment and significant contributions helped shape and enhance New Hampshire's efforts to improve societal response to domestic and sexual violence. Barry will be deeply missed but her work will be continued forward.

ACKNOWLEDGMENTS

The Committee extends deep appreciation to Chris Basha, Technical Support Specialist from the Office of Information Technology and Mary Thayer of the New Hampshire Attorney General's Office for their assistance in preparing the extensive data in this report.

The Committee also wishes to thank, once again, Lynda Gilman, Court Monitor of the Grafton County Family Division, for her extraordinary patience and diligence in preparing this Fourth Annual Report, and for her assistance throughout the year.

**NEW HAMPSHIRE GOVERNOR'S COMMISSION ON DOMESTIC AND
SEXUAL VIOLENCE**

DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE

MISSION STATEMENT

To reduce domestic violence-related fatalities through systemic multi-disciplinary review of domestic violence fatalities in New Hampshire; through inter-disciplinary training and community-based prevention education; and through data-driven recommendations for legislation and public policy.

OBJECTIVES

1. To describe trends and patterns of domestic violence-related fatalities in New Hampshire.
2. To identify high risk factors, current practices, gaps in systemic responses, and barriers to safety in domestic violence situations.
3. To educate the public, policy makers and funders about fatalities due to domestic violence and about strategies for intervention.
4. To recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.
5. To improve the sources of domestic violence data collection by developing systems to share information between agencies and offices that work with domestic violence victims.
6. To more effectively facilitate the prevention of domestic violence fatalities through multi-disciplinary collaboration.

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I. INTRODUCTION

The Domestic Violence Fatality Review Committee was created by Executive Order of Governor Jeanne Shaheen in July 1999. The Committee has thus been in existence for nearly five years. Three Annual Reports have been issued previously, including nearly 150 recommendations for improved service coordination. The First, Inaugural, Report was issued in June 2001. The Second Report was issued in May 2002 and the Third Report, in May 2003.

The Committee's goal from the outset has been to generate annual reports that serve as "revolving documents", intended to be examined and critiqued throughout the year. Over these five years, we have generated recommendations for the many different agencies and organizations that work with domestic violence victims and offenders in an effort to improve our collective response to this significant social and legal problem. In developing and implementing recommendations, new policies, procedures and practices may be built upon New Hampshire's improved response to domestic violence.

Over the past year, the three branches of government and many individuals, organizations and agencies have continued to implement the Committee's recommendations. This report includes responses to the recommendations contained in last year's report (the Third Annual Report). The extent to which these bodies have worked together to provide a safer environment for all our citizens is truly remarkable.

This Fourth Annual report includes 21 new recommendations from the Committee's review of domestic homicides during its fifth year of operation (2003-2004). We are hopeful that these recommendations will also be considered and implemented over the next year.

II. OVERVIEW OF A DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE

Domestic violence is one of the most prevalent legal and social problems in the United States. Every year between three and four million women throughout the United States are beaten by their partners (husbands or boyfriends) or ex-partners. When adult women are beaten, frequently children are as well. In approximately 75% of the cases where a couple has children and the female adult is abused, children witness the assaults and are themselves often physically abused.

Domestic violence in its worst, and ultimate, form is homicide. Every year nearly 2,000 people die from domestic violence homicides in the United States, most frequently men causing the death of their female partners. Children are also homicide victims. In over half of all murders of children under 12, parents were the perpetrators. Half of all female homicide victims were killed by their male partners.

Many programs have been developed by victim advocates, law enforcement, courts and other agencies to address this problem. One of the newest programs being developed around the United States, and in other countries including England, France and Australia, is called the "fatality review" process, or Fatality Review Committees.

A fatality review committee is a group of professionals from many different organizations, agencies and branches of government that convenes periodically to review domestic violence homicide (fatality) cases. The theory underlying the fatality review process is that if we are able to understand better why and how a homicide occurred, we can learn important lessons to help prevent future deaths. The core belief underlying the Committee's work is that every death is preventable, and we must work together to make this belief a reality.

III. HISTORICAL BACKGROUND

On July 19, 1999, Governor Jeanne Shaheen created the New Hampshire Domestic Violence Fatality Review Committee. In issuing her Executive Order, she endorsed and encouraged a tradition begun in New Hampshire many years ago of multi-disciplinary collaboration. The Domestic Violence Fatality Review Committee was created as part of the Governor's Commission on Domestic and Sexual Violence, originally created by Governor Stephen Merrill in 1993, to provide systemic review of domestic violence homicides in order to reduce the number of future fatalities.

Approximately two years earlier, a group of representatives from law enforcement, victim services, batterers intervention and the courts was concerned that despite all the good work occurring in New Hampshire, domestic violence fatalities still represented a large portion of our total homicide count. Since 1990, while the total number of homicides has declined, domestic violence-related homicides comprise approximately 48% of all homicides. The Committee learned of a new program begun in a few jurisdictions around the country, called a Fatality Review Committee, or Death Review Team, which was being promoted as another tool to help prevent domestic violence homicides.

This group approached the Governor's Commission on Domestic and Sexual Violence and sought its endorsement to create a Fatality Review Committee and, having obtained it wholeheartedly, this Committee began its work. Coincidentally, the State Justice Institute, together with the United States Department of Justice and the National Council of Juvenile and Family Court Judges, was planning a First National Conference on Fatality Review, and New Hampshire's group was invited to attend. Upon return, the Committee applied for, and soon thereafter received, a Technical Assistance Grant from the State Justice Institute to augment this work. The grant was awarded in June 1999, and continues in effect at this time. Altogether, the committee to create a Fatality Review Committee spent two years developing its structure, mission statement, objectives, protocol and selection of committee members.

All of this information was presented to Governor Jeanne Shaheen, including a proposed list of committee members. As noted above, the Governor formally established the committee in July 1999. It has continued in existence for nearly four years now.

IV. FATALITY REVIEW IN NEW HAMPSHIRE

Mission Statement

The purpose of the Fatality Review Committee is set out in its Mission Statement, which reads:

To reduce domestic violence-related fatalities through systemic multi-disciplinary review of domestic violence fatalities in New Hampshire; through inter-disciplinary training and community-based prevention education; and through data-driven recommendations for legislation and public policy.

Objectives

The Committee has six goals and objectives, as follows:

- (1) To describe trends and patterns of domestic violence-related fatalities in New Hampshire.
- (2) To identify high risk factors, current practices, gaps in systemic responses, and barriers to safety in domestic violence situations.
- (3) To educate the public, policy makers and funders about fatalities due to domestic violence and about strategies for intervention.
- (4) To recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.
- (5) To improve the sources of domestic violence data collection by developing systems to share information between agencies and offices that work with domestic violence victims.
- (6) To more effectively facilitate the prevention of domestic violence fatalities through multi-disciplinary collaboration.

Executive Order

Both the Mission Statement and Objectives have been incorporated into the Governor's Executive Order authorizing the work of this group. (See Appendix A.)

Membership

The Committee has a very broad-based membership, reflective of the many organizations and agencies that work with domestic violence victims, offenders and children. A review of the membership list, included at the beginning of this report, reflects representation from the following: District and Family Courts, local and state law enforcement, victim services (through the Attorney General's Office and Coalition Against Domestic and Sexual Violence), education, health care (medical and mental health), batterers intervention, visitation network, Division for Children, Youth and Families (DCYF), Elderly and Adult Services, clergy, Employee Assistance Program and others. Attorneys are also represented, including state and federal prosecutors, New Hampshire Public Defenders, and private practitioners. New Hampshire is one of very few jurisdictions in the country that welcomes the defense bar to this discussion. It has been the Committee's belief and experience that domestic violence issues need broad-based perspective, and the goal of homicide prevention is *everyone's* concern.

The Committee, which proposed the Fatality Review Committee to Governor Shaheen, was also careful to identify individuals within each profession listed above who were personally willing to serve, and who were committed to the goals of the Committee. The Committee wanted to ensure that individual members would make the time commitment required to provide consistency and continuity to the review process. Much of the first meeting was devoted to each member discussing why he or she had agreed to serve and what each thought he or she could contribute to the process, individually as well as institutionally. Although there have been some replacement of Committee members due to job changes, the Committee has remained remarkably constant in its membership since its inception.

Confidentiality Agreement

Because certain information which is shared at committee meetings is confidential, all members have been asked to sign a Confidentiality Agreement. (See Appendix B.) This ensures that all information shared during the review process will remain confidential and will not be disseminated outside of the Committee. In addition to individual confidentiality agreements, an Inter-agency Agreement has been signed by the heads of the New Hampshire Department of Justice, the New Hampshire Department of Health and Human Services, and the New Hampshire Department of Safety. (See Appendix C.)

Structure

The full Committee meets bi-monthly, on average, to review one or more homicides. In alternating months, the Executive Committee meets to select cases for review, refine recommendations developed by the full Committee, and attend to other administrative matters. The Executive Committee consists of representatives from the courts, law enforcement, victim services, batterer's intervention, the State's Chief Medical Examiner and an Administrative Assistant.

Review Process

The Committee has determined that only closed cases, or murder/suicides, will be reviewed. This ensures that all appeals have expired and thus not affect the ongoing investigation of an active case.

Each case review begins with a report by the Chief Medical Examiner and the law enforcement agency, which responded to the scene. These reports provide great detail about the homicide as well as the history of the victim and defendant, and where applicable or relevant, the children. Information is also received from the prosecutor and victim advocate involved with the case. Committee members then report on information from their agencies or organizations. For example, court representatives would report on the existence of any civil protection orders, bail conditions, domestic violence convictions, and other civil and criminal case histories of the parties and their children. The medical representatives would report on any known contact seeking health care for injuries sustained as a result of a

domestic violence assault. Following the presentation by all Committee members, the group collectively formulates recommendations for preventing future homicides. Ideas may be related to the particular case, or may germinate from cross-disciplinary discussion and give rise to ideas, which will proactively help prevent domestic violence homicide and other assaults.

V. STATE JUSTICE INSTITUTE GRANT

New Hampshire was awarded a Technical Assistance Grant from the State Justice Institute in 1999. The grant enabled the Committee to consult with and evaluate other teams around the country before beginning its work. The grant has also enabled the Committee to engage Attorney Barbara Hart, widely recognized as one of the nation's leading experts on domestic violence, to serve as a consultant. A final report to the State Justice Institute was completed at the conclusion of the grant in 2003.

VI. HOMICIDE STATISTICS DATA CHART

From 1990 through 2003, a total of 280 homicides occurred in New Hampshire; 48% were domestic violence-related. In those 14 years, the number of homicides has ranged from a low of 13 (2002) to a high of 35 (1991). The percentage which are domestic violence-related has ranged from a low of 21% in 1997 to a high of 73% in 2000. The year 2001 saw a significant decrease in domestic violence-related homicides, dropping again to 35%. However, the number of total homicides increased in 2001 to 20, from 15 in 2000. Fortunately the number dropped again to 13 in 2002, the lowest total in 14 years.

The reader may note that there are a few differences in the data from 1990-2002 as shown in prior reports. This chart reflects all accurate data. Minor differences were discovered as a result of the careful analysis in the data collection project.

**THE STATE OF NEW HAMPSHIRE
HOMICIDE STATISTICS
1990 – 2003 (14 Years)**

Year	Total Homicides	Total Domestic Violence	Partner Homicides	Family Members	DV Related Homicides	Total % Domestic Violence
1990	16	8	5	3	0	50%
1991	35	16	9	5	2	46%
1992	20	11	7	1	3	55%
1993	24	8	7	1	0	33%
1994	18	8	4	2	2	44%
1995	18	10	5	4	1	56%
1996	24	14	6	5	3	58%
1997	24	5	4	0	1	21%
1998	15	8	6	0	2	53%
1999	20	12	6	5	1	60%
2000	15	11	4	7	0	73%
2001	20	7	3	4	0	35%
2002	13	6	3	1	2	46%
2003	18	9	3	4	2	50%
Totals	280	133	72	42	19	48%

Partners – Homicide where the perpetrator and victim ARE intimate partners (e.g., husband kills wife).

Family Members – Homicide where the perpetrator and victim ARE NOT intimate partners but ARE family members (e.g., parent kills child).

Domestic Violence Related – Homicide where the perpetrator and victim ARE NOT intimate partners and ARE NOT family members but it is related to domestic violence (e.g., estranged husband kills wife’s current intimate partner, or neighbor dies trying to save child from parental abuse).

VII. SUMMARY OF HOMICIDES WHICH OCCURRED IN 2003

Independent of cases reviewed by the Committee for the fourth annual report, the following is a summary of the domestic violence related homicides that occurred in calendar year 2003.

As the chart depicts there were nine domestic violence related homicides in 2003 out of a total of 18 homicides. Of the nine domestic violence related homicides, three were partner homicides, four involved family members and two were domestic violence related. The nine domestic violence homicides comprised 50% of the total homicides. As compared to the prior calendar year (2002) the total number of homicides increased from 13 to 18 and the percentage of domestic violence related homicides increased slightly from 46% to 50%.

Age of Victim and Perpetrator

The victims range in age from two and one-half months to 88 years. There were two other child victims ages 11 and 14. One victim was 36 years old and four victims ranged from age 41 to 48.

Gender of Victim and Perpetrator

Of the nine domestic violence-related victims, five were female and four were male. Of the partner homicides all three victims were female and all three alleged perpetrators were male. Of the family member homicides two victims were female and two victims were male. There were four alleged perpetrators, of which three were male and one was female.

County of Death

Five counties had domestic violence related homicides in 2003. Hillsborough County had four, followed by Rockingham County with two and Cheshire and Grafton Counties with one each. The three partner homicides took place in Cheshire, Grafton and Rockingham Counties.

Cause of Death

Of the nine domestic violence related homicides, six were committed by firearms, one resulted from suffocation, one from stabbing and one was a shaken baby.

Partner Homicides

Of the three partner homicides in 2003, all three victims were female and all three alleged perpetrators were male. Two involved couples who were living together and one

couple was estranged and in the process of a divorce. There were no protective orders in place at the time of the homicides but, in one case, the victim had had a previous protective order against the perpetrator.

VIII. RECOMMENDATIONS FROM 2003-2004

The following recommendations were developed as a result of the case reviews conducted during the 2003/2004 work-year of the Committee. We hope the relevant professions and agencies give as careful and thoughtful consideration to these recommendations as they have with the recommendations issued in the first three reports.

BOARD OF BAR EXAMINERS:

- (1) The Board should routinely draft and use questions on the New Hampshire Bar Exam dealing with the substantive and procedural issues arising out of domestic violence related cases. The task of drafting such questions for the Board could be given to the Governor's Commission, the Family Law Section of the New Hampshire Bar Association, the faculty on domestic relations law at Franklin Pierce Law School, or to this committee itself.

Comment: The Committee recognizes that often the best way to ensure education for professionals is to include a question on the professional examination regarding the particular topic. By suggesting that there be a question on the Bar Examination, the Committee hopes that law schools will begin educating attorneys in various subject matter areas so that they will be exposed to domestic violence in many different professional arenas. This is similar to what the medical profession did, successfully, several years ago.

COURTS:

- (1) Domestic violence protection order petitions should be revised to allow more space for petitioners to describe the history of their relationship with the defendant.

Comment: The present form only allows room for a small paragraph or brief statement (with additional pages available if needed). It has become necessary for petitioners to be as detailed as possible because some courts will only allow information included in the original petition to be addressed at the time of the final hearing.

- (2) Courts should not administratively grant a waiver of arraignment in domestic violence related cases.

Comment: Defendants frequently enter pleas of not guilty and request trial dates in lieu of appearing for arraignment. In such cases, courts lose the opportunity to address myriad other bail conditions that may be warranted to protect the victim and community.

- (3) Courts should create a training for bail commissioners to address domestic violence issues and the importance of their role at the initial encounter with the defendant, and the options they have in setting bail. The training should be conducted annually.

Comment: Also discussed was the possibility of creating a statewide certification for all bail commissioners as a mandatory requirement of serving in that capacity.

- (4) Bail orders issued from the courts should be entered into a statewide database similar to the process used in domestic violence cases where the court faxes all orders to a central location for entry into NCIC.

- (5) Judges should receive training on the specific criteria, emotional and legal, as to when batterers' intervention should be used as part of sentencing in criminal cases, and as part of the court's order in civil orders of protection.

CRISIS CENTERS:

- (1) Encourage the Survey Committee to assess the need for 24 hour staffed crisis lines, along with other priority direct service needs.

- (2) The Bar Association should collaborate with the Governor’s Commission on Domestic and Sexual Violence, the Coalition Against Domestic and Sexual Violence, and with the various domestic violence advocates experienced in the criminal court system, to conduct a training or symposium for the media regarding the differences in reporting on high profile cases, and the need to be informative rather than intrusive.

DEPARTMENT OF CORRECTIONS:

- (1) Each county should be encouraged to create a program allowing for pre-trial supervision through the County Department of Corrections as a condition of bail and/or release ordered at arraignment.

Comment: Such a model is currently being used in Merrimack County and in Strafford County. The Committee recognizes, however, that there is currently a lack of resources available at the local probation field offices as well as the fact the most of the state-level "supervisors" assigned to pre-trial defendants are unarmed case technicians.

Comment: Such an arrangement would enable the Department of Corrections to initiate useful programs such as AA and Batterers Intervention earlier in the process. Earlier initiation also enhances the likelihood of completion of such programs.

DEPARTMENT OF SAFETY:

- (1) Bail orders issued from the courts should be entered into a statewide database similar to the process used in domestic violence cases where the court faxes all orders to a central location for entry into NCIC.

GOVERNOR’S COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE:

- (1) The new revision of the Domestic Violence Protocol for Law Enforcement should capture the “when, how and where” of making arrests on violations of protective orders (i.e., making warrantless arrests within the twelve hour period). Additional training on inter-jurisdiction enforcement of protective orders may be warranted.

Comment: There was much discussion and some confusion about one jurisdiction's ability to arrest on a violation of a protective order if the violation OR the original order came out of another jurisdiction. An arrest can be made anywhere, by any jurisdiction, regardless of where the violation took place.

- (2) Public outreach campaigns should stress the fact that domestic violence exists across all socio-economic levels. Since no group is immune from domestic violence, care should be taken to include everyone, regardless of income, race or other group affiliation. For example, middle and upper income families are as subject to domestic violence as are lower income families. Outreach to all socio-economic groups for the purpose of education and referrals is essential.
- (3) Encourage the Survey Committee to assess the need for 24 hour staffed crisis lines, along with other priority direct service needs.
- (4) The Bar Association should collaborate with the Governor's Commission on Domestic and Sexual Violence, the Coalition Against Domestic and Sexual Violence, and with the various domestic violence advocates experienced in the criminal court system, to conduct a training or symposium for the media regarding the differences in reporting on high profile cases, and the need to be informative rather than intrusive.

LAW ENFORCEMENT:

- (1) The new revision of the Domestic Violence Protocol for Law Enforcement should capture the "when, how and where" of making arrests on violations of protective orders (i.e., making warrantless arrests within the twelve hour period). Additional training on inter-jurisdiction enforcement of protective orders may be warranted.

Comment: There was much discussion and some confusion about one jurisdiction's ability to arrest on a violation of a protective order if the violation OR the original order came out of another jurisdiction. An arrest can be made anywhere, by any jurisdiction, regardless of where the violation took place.

- (2) The Domestic Violence Protocol for Law Enforcement should be incorporated into the regular training programs of New Hampshire Police Standards and Training.

Comment: There was much discussion and some confusion about one jurisdiction's ability to arrest on a violation of a protective order if the violation OR the original order came out of another jurisdiction. An arrest can be made anywhere, by any jurisdiction, regardless of where the violation took place.

- (3) All domestic violence cases should be thoroughly investigated so that if appropriate, the law enforcement agency could proceed without the victim's participation at trial.

Comment: The United States Supreme Court recently issued a decision in the matter of Crawford vs. Washington that may have an impact on this recommendation.

LEGISLATURE:

- (1) New Hampshire should consider enacting criminal protection orders that would be issued in domestic violence-related cases, and provided to victims.

Comment: The Legislature should consider whether this might create a need for appointment of counsel at arraignment, and the fiscal implications of this recommendation. We should also consider whether, in the alternative, bail orders could be sent to victims, thus serving a similar function.

- (2) Legislation should be drafted requiring insurance companies to fully cover property damage done during the course of a domestic violence incident. The surviving victim should not suffer financially as a result of losing property or homestead due to the act of a violent spouse or partner.

Comment: The discussion around this recommendation also involved talking directly to insurance companies and encouraging them to provide 100% coverage to surviving partners, regardless of whose name in which the property was held.

- (3) Legislation should be drafted with respect to protecting the identity of victims in hiding or who are being "safe-housed" in a public inn, hotel or motel. This protection could be made available to those who are in possession of a protective order, or those who are being referred for lodging by a crisis center or law enforcement agency.

MENTAL HEALTH:

- (1) Mental health professionals who advertise family or domestic counseling in their advertisements should be trained and regularly re-certified in domestic violence.

Comment: Any counseling and/or training should include active participation of local crisis centers or the New Hampshire Coalition Against Domestic and Sexual Violence.

NEW HAMPSHIRE BAR ASSOCIATION:

- (1) The New Hampshire Bar Association should create and conduct advanced level trainings for lawyers who will handle domestic violence cases. The purpose is to educate attorneys about the many ways in which domestic violence impacts their clients beyond conventional domestic violence cases. It would also help create a cache of attorneys who could help victims when they are in deep and immediate crisis.

Comment: It is important to stress that the primary reason for making this “crisis component” recommendation is to create a pool of trained and highly qualified attorneys who would make themselves immediately available to clients in crisis. The New Hampshire Bar Association DOVE program is already doing an excellent job of addressing these concerns. The goal of the Fatality Review Committee is to ensure that all attorneys, not just those participating in DOVE, understand these issues. The New Hampshire Bar Association is conducting specialized training for lawyers who handle domestic violence cases. The Bar Association continues to offer free continuing legal education courses for those individuals who wish to accept pro bono domestic violence cases through the DOVE program. The Bar is also expanding its domestic violence training into the new lawyers training program which is offered twice a year to those new members and required of all new members of the New Hampshire Bar.

- (2) The Bar Association should create a packet or brochure dealing with the handling of high profile domestic violence cases. It was noted that due to the very volatile nature of these cases, almost any case could become high profile at any point during the legal process. The Bar Association should also include a specific domestic violence category under its lawyer referral system, the reduced fee system, and the pro bono system, requiring the attorneys to complete an affidavit before accepting such cases that they are competent to handle such cases pursuant to Rule 1.1 of the Professional Rules of Conduct.

Comment: The Bar Association continuing legal education materials are available to all members of the Bar at minimal cost, as are rebroadcast of trainings. The Bar Association, in May of 2004, is offering a specialized advanced domestic violence training continuing legal education program. The Bar Association has previously created domestic violence packets and incorporates domestic violence packets and information in free materials available to members upon request at the Bar Association, and certain materials that are available to Bar members through the New Hampshire Bar Association's website.

- (3) The Bar Association should collaborate with the Governor's Commission on Domestic and Sexual Violence, the Coalition Against Domestic and Sexual Violence, and with the various domestic violence advocates experienced in the criminal court system, to conduct a training or symposium for the media regarding the differences in reporting on high profile cases, and the need to be informative rather than intrusive.
- (4) The Bar Association should include training that explains and distinguishes domestic violence protective orders issued under RSA 173-B and civil restraining orders issued under RSA 458 in their various CLE trainings.

Comment: Reference is made to the comment to the Third Annual Report, May 2003 (Recommendation 3, page 16).

Comment: In order for attorneys to be capable of explaining to their clients the nuances between RSA 173-B and RSA 458, they must first be provided adequate training in such matters or have adequate experience in dealing with clients and the courts within the framework of both statutes.

IX. RESPONSES TO RECOMMENDATIONS FROM 2002-2003 **[Recommendations Contained in the Third Annual Report]**

Approximately 18 recommendations were developed as a result of the case reviews conducted during the 2002/2003 Committee year. As we have done in previous years, the Committee this Spring (2004) surveyed the respective organizations indicated below to see how the recommendations had been implemented. The responses follow in ***bold italics***. The Committee continues to be pleased with the impact of its recommendations in New Hampshire. Developing recommendations and reporting responses to the recommendations each year is an important part of the accountability of the Committee and demonstrates that New Hampshire remains committed to improving its systemic response to domestic violence.

SYSTEM-WIDE RECOMMENDATIONS:

- (1) A community education campaign should be developed to increase the awareness of the enhanced risk to a victim's safety when he or she attempts to leave an abusive partner.

Comment: The Committee believes it is important to educate the general public that a time of increased risk of lethality for a victim is when he or she is leaving or attempting to leave an abusive partner. The public should have information about the variety of professional and community services that are available to help ensure the victim's safety at the time of separation.

RESPONSE: *Each crisis center stresses the danger of transitioning out of an abusive relationship through their outreach and education programs. In addition, each center now has a shelter to offer as a service when needed for safety. Community awareness is part of every crisis center action plan. Community Coordinating Councils are also participating in this endeavor.*

Other systems involved in the efforts include Police Standards and Training, that incorporates this piece into their training courses, and the Coalition office, which continues to educate the legislature. Some Coalition staff members, with community partners, are training New Hampshire State agency workers on lethality checklists, which include leaving the relationship. The Governor's Commission Protocol Committee is working on several protocols and making sure they all include this important information.

CORPORATE CITIZENSHIP INITIATIVE:

- (1) The Corporate Citizenship Initiative should support domestic violence workplace initiatives among private sector employers.

RESPONSE: In October 2003, the Granite State Chapter of the Employee Assistance Professionals, members of the Governor's Commission on Domestic and Sexual Violence and members of the Corporate Citizen Initiative provided a comprehensive education program to an audience of Employee Assistant Programs (EAP), businesses and human resource personnel from the Seacoast region. The goal of the program was to provide key business people with current information on the impact and appropriate response to domestic violence in the workplace. Presenters included a specialist in Batterers Intervention, crisis center personnel, victim witness, EAP and an attorney. Each presenter provided the audience with specific relevant information and local resources available to the workplace. Sample domestic violence in the workplace policies were provided as well as information on the availability of services from the local crisis centers. Evaluations from the program indicated the participants found the program information current and relevant, and provided necessary resources for the attendees.

COURTS:

- (1) The Alternative Dispute Resolution (ADR) portion of the Child Impact Program (CIP), required of all parties who are involved in divorce or child custody proceedings, should include educational information on domestic violence and the stresses of separation and divorce to help the parties be better prepared for the emotional turmoil that is likely to occur.

RESPONSE: The Behavioral Health Network, the organization which now has the contract for the Child Impact Program, rewrote its entire curriculum one year ago for statewide implementation. The program director believes this information is now included in the classes. There are plans to audit the courses over the next year to verify the information and help identify discrepancies if any exist.

- (2) All courts having jurisdiction over marital actions should routinely inform the parties of the availability of law enforcement civil standby functions when personal property is being transferred.

Comment: Even when a domestic violence protective order has not been sought, the time of final separation can be intensely stressful for all parties. It may be helpful as a preventive measure to have a law enforcement civil standby available when the parties undertake the final distribution of their personal property pursuant to a Decree of Divorce.

RESPONSE: *The Superior Court and Family Division have jurisdiction over divorce actions contemplated under this recommendation. It is the consensus that providing written information about the availability of law enforcement civil standby might not be as effective as having judges address the parties or their counsel in specific cases where there appears to be some level of hostility or risk to safety. The Court has not yet devised a uniform plan, but it is being considered at this time. The Courts will also need to have conversation with law enforcement to consider the impact this may have on their fiscal and personnel resources, particularly in smaller jurisdictions.*

DEPARTMENT OF SAFETY:

- (1) Gun dealers should notify local law enforcement when gun or ammunition purchase requests have been declined.

RESPONSE: *Department of Treasury, Bureau of Alcohol, Tobacco and Firearms (ATF) Form 4473 must be filled out by individuals seeking to purchase a firearm. If the individual is refused, the New Hampshire State Police Permit/License Section sends a “denial packet” to the police agencies in the town where the Form 4473 was filled out and where the applicant resides. The “denial packet” is also sent to the appropriate Troop Station, County Attorney’s office, ATF and NICS.*

It should also be noted that there are no restrictions on the sale of ammunition, except that the buyer must be at least 18 years old for rifle and shotgun ammunition and at least 21 years old for the purchase of pistol ammunition.

- (2) Gun dealers should post signs concerning gun laws and warnings in prominent places.

RESPONSE: *The Department of Safety reports that most gun dealers do post such signs and warnings.*

- (3) Gun dealers should attend trainings regarding threat assessment.

Comment: There was a lot of discussion around the recommendations involving gun sales and gun dealers. A suggestion was made that insurance discounts be afforded those gun dealers who attend trainings and post warning signs. The general discussion focused on ways to encourage gun dealers to become proactive in assessing the potential threat posed by the gun purchaser. It was noted that in some instances a perpetrator attempted unsuccessfully two or more times to purchase a gun and this information was never conveyed to law enforcement. However, it was also noted that the issues surrounding gun sales are sensitive and that placing more restrictions and conditions on gun dealers would not be received favorably due to the increased liability involved.

RESPONSE: *Law enforcement agrees that education is a great idea and very appropriate, but funding a program would be very difficult. Everything the gun permit/license office does comes from federal guidelines and a suggestion was made to research the possibility of federal funding for training purposes.*

The insurance discount incentive would be difficult to implement as the Department of Safety advises that gun dealers are facing the issue of insurance companies canceling their policies, resulting in dealers having to pay much higher premiums.

EMPLOYEE ASSISTANCE:

- (1) Outreach campaigns addressing depression should be created, including the production of Public Service Announcements dealing specifically with suicide and depression. Outreach efforts could also be made through workers' compensation literature, unemployment offices, mental health service providers and through the Behavioral Health Network. The campaigns should emphasize the risk of suffering from depression during work-related layoffs and when loss of employment occurs through injury and/or disability.

RESPONSE: *The Employee Assistance Programs (EAPs) affiliated with the Granite State Chapter of Employee Assistance Professionals agree that addressing depression, anxiety and suicidality in the workplace is an important initiative as it relates to lay-offs and loss of employment through injury and/or disability. As such, companies that benefit from the services of an EAP are afforded*

routine individual counseling to employees, with a focus on the health of the entire person to include issues of depression and anxiety. During periods of reduction in force, the local Employee Assistance Programs report providing management personnel with training and/or information regarding the emotional affects of lay-offs on staff. In addition to educating the affected groups, information is also provided regarding the emotional aftermath for the “surviving employees” who must continue to work during an often-turbulent time. Information may be provided in-person, via brochures, posters, payroll staffers, newsletter and intranet services. The May 2003 recommendation made by the Fatality Review Committee has provided the local Association with an impetus to review the issue and to continue to raise awareness on the importance of marketing and addressing this issue with client companies. Future plans for the Association will include the opportunity for the Director of the State of New Hampshire Employee Assistance Program, who is also a member of the Fatality Review Committee, to further discuss the importance of these issues at a local Granite State EAP meeting. Topics will include depression and anxiety during periods of job loss, management-training programs, working cooperatively with other disciplines and the sharing of initiatives that have proven to be successful and can be generalized to other populations. The goal of the discussion is to raise the consciousness of EAP providers about the importance of addressing this issue during any reduction in force or job loss.

LAW ENFORCEMENT:

- (1) A statewide unit or agency should be created specifically to track protective orders and prosecute violations.

Comment: It was also suggested that a study be done to see how many violation of protective order charges are outstanding statewide at any given point time. The purpose of this study would be, in part, to provide data supporting the funding of such a unit.

RESPONSE: *The Manchester Police Department has a Domestic Abuse Response Team (DART) which tracks and apprehends suspects who have active warrants filed against them for domestic abuse violations. Currently no statewide unit is available for this purpose. Current budgetary restrictions may not make this possible through the Department of Safety. Another possibility would be to create teams in each County Sheriff’s Department or*

County Attorney's Office. In addition to tracking and prosecuting violations, the unit could also be utilized to train other agencies within their counties and to assist agencies with investigations when so requested.

- (2) Active arrest warrants should be placed "online" and be accessible through an existing database.

RESPONSE: *There is currently an "in-state" database maintained by the Department of Safety where all misdemeanor warrants (class A and B) can be entered for any crime. Most felony warrants are entered into the National Crime Information Center (NCIC). However very few misdemeanor warrants are entered into NCIC due to extradition restrictions. Until recently there was a 10-day restriction, meaning if a warrant was not served within 10 days, it could then be entered into the "in-state" database. That restriction was recently lifted so that misdemeanor warrants can be entered immediately. It is important that each department is mindful to enter domestic violence related warrants into this database as soon as they are issued. This can best be accomplished by establishing department policy on this issue.*

- (3) Victims should be routinely updated on the status of bail and bail conditions set on their perpetrator (similar to the VINE program).

RESPONSE: *The VINE (Victim Information and Notification Everyday) program currently in place in Rockingham County should be adopted statewide. More than 12 states, nationwide, have adopted this program to enhance victim safety. Officials from Rockingham County indicate that the program is functioning exceptionally well in that county. It is a free, anonymous, computer-based telephone program that provides victims with two important services: information and notification. The program tells the caller if the inmate is still in custody. Victims can call from any touch-tone phone, any time, to check an inmate's custody status. Callers are eligible for an automated notification call when an inmate is released, transferred, or escapes by simply entering a phone number where they want to be reached. Attempts to reach the victim would be made every half hour for 24 hours, until the victim is reached. The program would not require any additional work for processing personnel other than normal processing paperwork. Corrections officials would just need to ensure the information is entered into the statewide computer. The cost should not be unreasonable as it currently costs Rockingham County approximately \$16,000.00 per year to fund the program. However, significant cuts in the State Department of Corrections budget may prevent the State from implementing such a program.*

Police Departments should create an information form requesting that a correctional facility notify the Department if a defendant posts bail. The Department should create a policy relative to notification of victims when the defendant is released on bail. In addition, if a defendant is released on personal recognizance bail, and a no contact order is a condition of bail, both the defendant and the victim should be advised of the legal definition of “no contact”. Victims should be encouraged to notify the police department if any contact is initiated by the defendant.

- (4) Gun dealers should notify local law enforcement when gun or ammunition purchase requests have been declined.

RESPONSE: *Department of Treasury, Bureau of Alcohol, Tobacco and Firearms Form 4473 must be filled out by individuals seeking to purchase a firearm. If the individual is refused, the New Hampshire State Police Permit/License Section sends a “denial packet” to the police agencies in the town where the Form 4473 was filled out and where the applicant resides. The “denial packet” is also sent to the appropriate Troop Station, County Attorney’s office, ATF and NICS.*

It should also be noted that there are no restrictions on the sale of ammunition, except that the buyer must be at least 18 years old for rifle and shotgun ammunition and at least 21 years old for the purchase of pistol ammunition.

- (5) Gun dealers should post signs concerning gun laws and warnings in prominent places.

RESPONSE: *The Department of Safety reports that most gun dealers do post such signs and warnings.*

- (6) Gun dealers should attend trainings regarding threat assessment.

Comment: There was a lot of discussion around the recommendations involving gun sales and gun dealers. A suggestion was made that insurance discounts be afforded those gun dealers who attend trainings and post warning signs. The general discussion focused on ways to encourage gun dealers to become proactive in assessing the potential threat posed by the gun purchaser. It was noted that in some instances a perpetrator attempted unsuccessfully two or more times to purchase a gun and this information was never conveyed to law enforcement. However, it was also noted that the issues surrounding gun sales are sensitive and that placing more restrictions and conditions on gun dealers would not be received favorably due to the increased liability involved.

RESPONSE: *Law enforcement agrees that education is a great idea and very appropriate, but funding a program would be very difficult. Everything the gun permit/license office does comes from federal guidelines and a suggestion was made to research the possibility of federal funding for training purposes.*

The insurance discount incentive would be difficult to implement as the Department of Safety advises that gun dealers are facing the issue of insurance companies canceling their policies, resulting in dealers having to pay much higher premiums.

LEGISLATURE:

- (1) New Hampshire should adopt legislation that would require all gun sales to go through licensed gun dealers so that background checks would be done routinely.

Comment: The Committee is concerned about the number of sales which occur for which no background check is undertaken, thus enabling those who would otherwise be prohibited from purchasing firearms to have access to them.

RESPONSE: *Regarding such legislation, there are constitutional questions about regulating a citizen's ability to dispose of their personal property. Therefore, it is advised that we look at other ways we might address this, particularly monitoring proposed gun legislation to offer as much protection as possible. This is being done.*

- (2) Funding should be provided to create a statewide data-base/depository for Bail Orders which could be accessed at all times by law enforcement agencies (similar to the DVP database, SPOTS, NCIC, etc.).

Comment: The discussion around this recommendation also included the possibility of creating an interstate bail order database so that persons traveling outside of the state could be violated for breaching conditions.

RESPONSE: *This recommendation came after the deadline for introducing new bills so it was decided to put it off until the next session. There is a great deal of groundwork that must be done to find the resources and gain the support of all the stakeholders. Addressing the discussion in the comment, the J-1 Project, which is an interstate law enforcement communication program, will be doing the database and it will be in effect as soon as the project is up and running.*

MENTAL HEALTH:

- (1) Outreach campaigns addressing depression should be created, including the production of Public Service Announcements dealing specifically with suicide and depression. Outreach efforts could also be made through workers' compensation literature, unemployment offices, mental health service providers and through the Behavioral Health Network. The campaigns should emphasize the risk of suffering from depression during work-related layoffs and when loss of employment occurs through injury and/or disability.

RESPONSE: The Executive Director of each Community Mental Health Center was provided a copy of the Committee's recommendation relative to Mental Health. One center, Monadnock Family Services, currently collaborates with local agencies to plan and implement a community information and screening service on depression during the fall of each year. Other centers report linkages with local groups to address community-wide issues, such as the closure of business resulting in a loss of employment, on an as-needed basis. There is clear support among Community Mental Health Centers to expand upon the services they currently offer to initiate campaigns and additional outreach efforts. It was suggested, for example, that outreach efforts be linked with Mental Illness Awareness Week which is a national observance created to encourage individuals and their families to seek mental health treatment just as they seek treatment for their physical health. There is concern, however, that limited financial resources are an obstacle to implementation of any additional services. Every Community Mental Health Center continues to struggle with providing services in the most cost efficient manner possible. Additional outreach efforts, without the ability to provide follow-up care and services, would be futile. It was strongly felt that the State needs to address the issue of uncompensated care to insure the availability of services to those individuals requesting assistance as a result of any additional outreach efforts and campaigns.

NEW HAMPSHIRE BAR ASSOCIATION:

- (1) The Board of Governors of the New Hampshire Bar Association should revisit the concept of developing a domestic violence protocol for attorneys. Among other things, the protocol should include an assessment and screening tool for attorneys to use with clients as a means of offering guidance, referrals and resources where appropriate. The emphasis should be on providing assistance to the client and not be intended to invade the client's privacy, nor would it be used in any way as a

reporting tool or in any manner that would compromise the ethical considerations of the attorney/client relationship. The Protocol Committee of the Governor's Commission on Domestic and Sexual Violence should work with the Board of Governors of the New Hampshire Bar Association on this issue.

Comment: The Board of Governors rejected the concept of adoption of a protocol a number of years ago out of concern that they were creating affirmative obligations for their members for which malpractice claims might be initiated if they failed to adhere to the guidelines. The Committee notes that the American Bar Association has developed protocols and has encouraged all attorneys to follow a reasonable protocol. Virtually all other professions in New Hampshire have adopted a domestic violence protocol. The Bar is a significant institution that, through its members, works with victims of domestic violence. The Committee believes that this profession should be aware of the impact of domestic violence in all the myriad subject matter areas that victims may seek legal assistance.

RESPONSE: *The Bar Association's Board of Governors at the end of 2003 voted to reconstitute a sub-committee to work with the Governor's Commission on Domestic and Sexual Violence and the Protocol Committee. The 1998-1999 Protocol was rejected by the Bar upon recommendation of the Ethics Committee. The Ethics Committee of the Bar felt the Protocol improperly shifted the mandated role of an attorney within the civil and more importantly perhaps, the criminal, justice system. At that time the Bar created a sub-committee in an attempt to work with the Protocol Committee of the Governor's Commission. The two committees never began work on the matter, however. As the comments herein relative to the New Hampshire Bar Association recognize, the Bar devotes substantial resources to ensuring its members are aware of the impact of domestic violence in all areas that victims may seek legal assistance, and that members are capable of effectively assisting those victims.*

The New Hampshire Bar has reviewed American Bar Association (ABA) materials addressing domestic violence. The New Hampshire Bar has been unable to locate domestic violence protocols applicable to attorneys. It has reviewed, however, a number of helpful publications for ABA members including checklists published for those representing victims, which may prove helpful to New Hampshire Bar members. The Bar will consider making these materials available to members.

The Bar assures the Commission that it considers domestic violence an insidious epidemic in our society, and will continue

to devote substantial resources to fight domestic violence, and to continually educate its members and the public.

- (2) The New Hampshire Bar Association should use existing Bar resources and media to provide continuing education and communication around domestic violence issues such as: (a) the curriculum of the New Lawyer Training Program (offered twice each year); (b) CLE programs; (c) Bar News; (d) Family Law Section of the New Hampshire Bar Association; and (e) including one or more questions on the State Bar Examination.

Comment: Information dispensed to attorneys could include topics such as the psychodynamics of divorce, risk factors in identifying domestic violence (i.e., the perpetrator may not always have a known history of domestic violence and may be noticeably depressed rather than noticeably aggressive or angry), and options and resources available to parties in divorce actions (i.e., using law enforcement agencies to assist in transferring property through the civil standby process).

RESPONSE: *(a) The Bar is modifying its New Lawyer Training Program to include a section dealing with domestic violence, and will incorporate aspects of the training used for DOVE attorneys. (b) The Bar, in the month of May, will be offering an advanced Continuing Legal Education Course specifically addressing domestic violence in divorce and custody cases, including a specific section addressing restraining orders pursuant to New Hampshire RSAs 173-B, 458, 633:3-a and restraining orders issued under common law equity. (c) The Bar Association will continue to use the New Hampshire Bar News to educate its members in areas of domestic violence, and to encourage their participation in programs such as the DOVE program, assisting victims of domestic violence on a pro bono basis. (d) Questions on the New Hampshire Bar Exam are controlled by the Board of Bar Examiners, and not by the Bar Association.*

- (3) Attorneys practicing family law cases should ensure that their clients understand the differences between domestic violence protective orders issued under RSA 173-B and civil restraining orders issued under RSA 458 in marital actions, and be very careful in explaining such differences to clients who have been abused before recommending that they stipulate out of the RSA 173-B action because of the very important and different protections it affords to the abused party.

RESPONSE: *As referenced above, the Bar is sponsoring an upcoming continuing legal education course specifically dealing with this issue. The Bar intends, as it has in the past, to continue to include domestic violence issues in the trainings it sponsors, and to encourage its members to participate in these programs. The Bar is also modifying its New Lawyer Training Program to*

include a section dealing with domestic violence. This section will specifically address the issue of RSA 458 and 173-B restraining orders.

- (4) The protocols drafted by the New Hampshire Bar Association approximately 10 years ago entitled Aspiration of Goals in Litigation should be reviewed and revisited by the Bar.

RESPONSE: *This issue will be placed before the Bar Association's sub-committee for consideration. As of yet, the Committee has not been able to address the matter.*

NEW HAMPSHIRE LEGAL ASSISTANCE:

- (1) New Hampshire Legal Assistance should revise the informational brochure on domestic violence to explain the differences between domestic violence protective orders issued under RSA 173-B and restraining orders issued under RSA 458.

RESPONSE: *New Hampshire Legal Assistance has agreed to add the above information in their next printing. They will incorporate the information contained in an article written for DOVE by Judge Carbon and Attorney Betsy Paine.*

X. ANALYSIS OF DATA COLLECTION OF NEW HAMPSHIRE HOMICIDES

INTRODUCTION

As was noted above, the Committee has been gathering data about domestic violence homicides throughout the duration of its existence. Additionally, the Department of Justice (the Attorney General's Office) also collects data on all homicides in New Hampshire. Through these two efforts, as well as with the assistance of the State Justice Institute Grant, the Committee has begun to compile some quantitative and qualitative data regarding domestic violence homicides. The information that is presented in this section reflects a very preliminary investigation of these data. We hope, in future reports, to provide greater depth and analysis of the data, as well as information concerning many more factors that are relevant to domestic violence homicides. The Committee welcomes comments regarding this section in an effort to improve its data collection so that we can in turn provide useful information to readers of this report.

EXECUTIVE SUMMARY

There are some particularly interesting findings from the data collection effort that the Committee wishes to bring to the reader's attention. First and foremost is that domestic violence related homicides (whether committed by partners, family members or others within the context of a domestic violence relationship) represent approximately 48% of all homicides committed within the 14-year timeframe for which we have data. In looking at the most recent five years, there is a slight increase in domestic violence homicides, from 48% to 52%. This is obviously of concern, since one of the goals of the Committee's work is to reduce the number of homicides through this multi-disciplinary systems approach. However, as well also be observed, New Hampshire is fortunate to have a low homicide rate, so that even one or two deaths can create some large percentage differences from year to year. A summary of all homicides is included in an earlier section of this report. [Figures 3 and 4]

We have also found that Coos and Grafton Counties have the highest rates of homicide (overall and for those which are domestic violence homicides). These are the two most rural counties. However, the two counties with the lowest rates of homicide are also rural counties: Belknap and Carroll. [Figure 47]

The most frequent time of day for all homicides, regardless of the type and regardless of which timeframe we are considering, is in the evening hours of 6:00 p.m. to midnight. [Figures 41 and 42] Overall most homicides occur on Friday and Saturday, but over 14 years, most domestic violence homicides have occurred on Wednesday, and the

fewest on Sunday. [Figure 39] Over 14 years, most homicides have occurred in August, while most domestic violence homicides have occurred in September. [Figure 37]

Domestic violence homicides are more likely to be committed by men than by women. For the 14-year timeframe, men committed 86% of all homicides. However, for the most recent five years, there is a trend toward a greater number committed by women. In this latter timeframe, men committed 77%, and women committed 23%, up from 14% for the 14-year timeframe. [Figures 9 and 12] Domestic violence victims are predominantly female: 62% over 14 years, and a slight decrease to 58% for the most recent five years. [Figures 15 and 18]

Interestingly, most homicides are characterized by one perpetrator killing one victim. On occasion, there are multiple perpetrators and/or multiple victims. Most deaths involve homicide only (75% in the most recent five years); in other words, a perpetrator kills a victim. However, in 25% of the time, a perpetrator not only commits homicide but also commits suicide. Men are more likely than women to commit both homicide and suicide by a ratio of 9:1. [Figures 60 and 61]

Lastly, firearms are the overwhelming choice of weapon for both total homicides and domestic violence homicides (49% and 50% respectively for the 14 year timeframe) and the most recent five years (47% and 51% respectively). Men are far more likely than women to use firearms in the commission of a homicide. [Figures 25, 26, and 29-36]

ANALYSIS OF DATA COLLECTION

The Committee has organized **domestic violence homicides** by three specific categories as depicted in Figure 1. **Partner** homicides are defined as those where the perpetrator and victim have an intimate relationship, such as a husband and wife, or unmarried persons cohabiting together. **Family member** homicides are those where the perpetrator and the victim are NOT intimate partners but are family members, such as where a child kills a parent. **Domestic violence related** homicides are those where the perpetrator and victim are neither intimate partners nor family members, but the homicide has some relationship to domestic violence. An example of a domestic violence related homicide is one where an estranged husband kills his wife's current intimate partner. All of the other homicides discussed in the context of this report are treated as **non-domestic violence related homicides**. Thus, for example, in looking ahead at Figures 3 and 4, the charts depict partner, family member and domestic violence related homicides and distinguishes those from the non-domestic violence related homicides.

Definitions of Domestic Violence Homicide Categories

- **Partner:** Homicide where the perpetrator and victim ARE intimate (e.g., husband / wife)
- **Family Member:** Homicide where the perpetrator and victim ARE NOT intimate partners but ARE family members (e.g., parent / child)
- **Domestic Violence Related:** Homicide where the perpetrator and the victim ARE NOT intimate partners and ARE NOT family members but it is related to domestic violence (e.g., estranged husband / wife's current intimate partner)

FIGURE 1

Throughout this report we will also be presenting data for **two different periods of time**. The **first** period of time runs from calendar year **1990 through calendar year 2003**, presenting **14 years of data** that have been collected by the Attorney General's Office. We have also broken data down by the **most recent five years, 1999 through 2003**, to help illuminate any trends that may be present, looking at more current information as opposed to homicides that occurred a long time ago. This process of comparing aggregate data from 14 years to the most recent five-year period will also help us discern trends or other improvements in New Hampshire's response to domestic violence cases.

In addition to looking at data for the total 14-year timeframe, we also compare **total homicides to domestic violence homicides**. This also helps to illuminate distinctions between all categories of homicides (such as between strangers or unrelated persons), from those which have a domestic violence relationship of some sort. Thus, "total" homicides includes both homicides that are in some way domestic violence homicides (the three categories discussed above: partner, family member and domestic violence related) and those which are non-domestic violence related; "domestic violence related" homicides include all partner, family member and domestic violence related homicides.

Figure 2 presents the Homicide Statistical Summary. In this Figure, we look at homicides for the 14-year period and the most recent five-year period. Within each block of years, we look at total homicides and domestic violence homicides.

The reader must be careful to note that the total number of homicides reflects the number of victims. In other words, one homicide is the equivalent of one victim. However, the total number of perpetrators is different because on occasion, more than one perpetrator would be involved in the death of a victim and, on occasion, one perpetrator might kill more than one person. Thus, the total number of homicides (referring to victims) does not equal the total number of the perpetrators.

Homicide Statistical Summary

1990 – 2003 (14 Years)

- Total Homicides – **280**
- Total Domestic Violence Homicides – **133**
- Total Perpetrators – **250**
- Total Domestic Violence Perpetrators – **121**

1999 – 2003 (5 Years)

- Total Homicides – **86**
- Total Domestic Violence Homicides – **45**
- Total Perpetrators – **75**
- Total Domestic Violence Perpetrators - **40**

FIGURE 2

As depicted in Figures 2, 3 and 4, the total number of homicides for the 14-year period is 280. In other words, there were 280 victims of homicide from calendar year 1990 through calendar year 2003. In contrast, 133 of these homicides were domestic violence homicides. Thus, slightly less than one-half of all homicides are domestic violence homicides (48%).

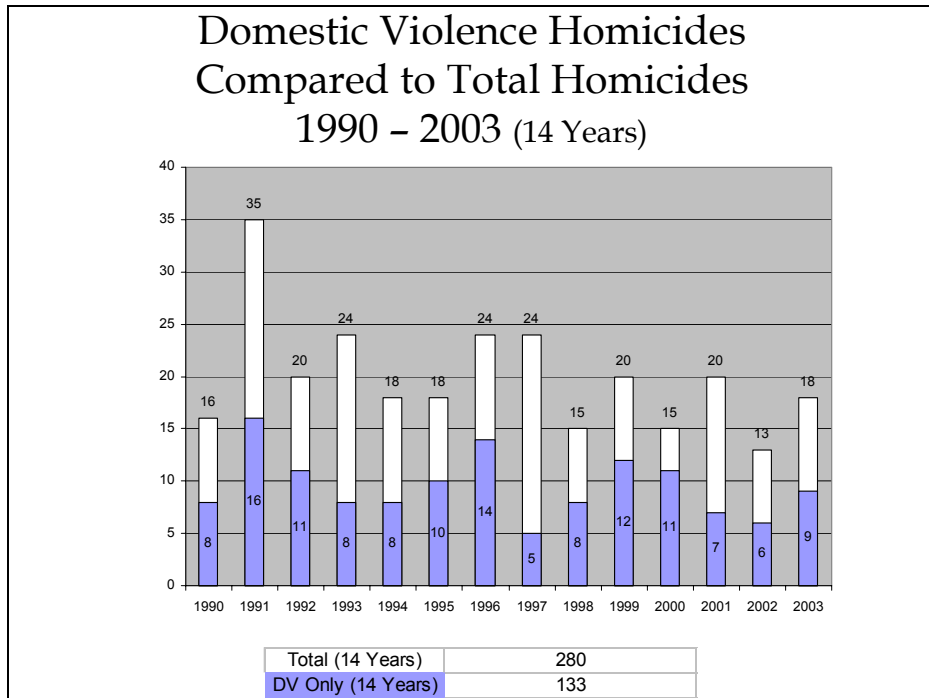


FIGURE 3

Figure 4 reflects the total homicides and domestic violence homicides for the most recent five-year period, reflecting a total of 86 homicides for calendar years 1999 through 2003, of which 45 (51%) were domestic violence homicides. In the most recent five-year period, slightly less than one-half of all homicides were domestic violence homicides.

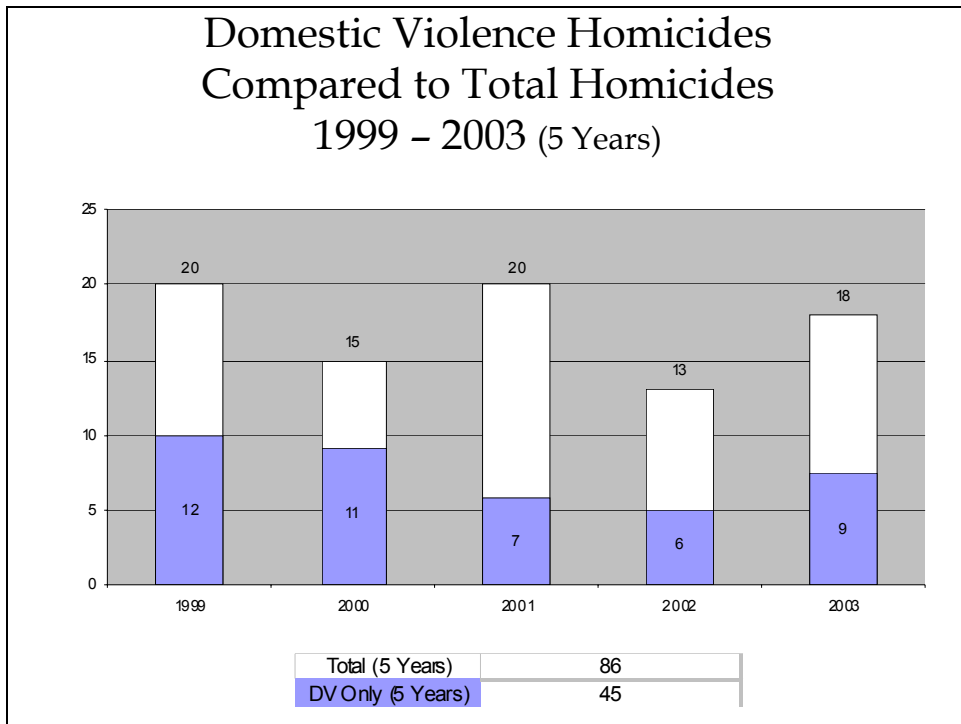


FIGURE 4

Figures 5 and 6 show the percentages of domestic violence homicides as compared to the total homicides. Thus, Figure 5 shows that of all the homicides from 1990 through 2003, 48% were domestic violence homicides. Twenty-six percent of the total homicides were partner homicides, 16%, family member, and 6%, domestic violence related. The remaining 52% were non-domestic violence related.

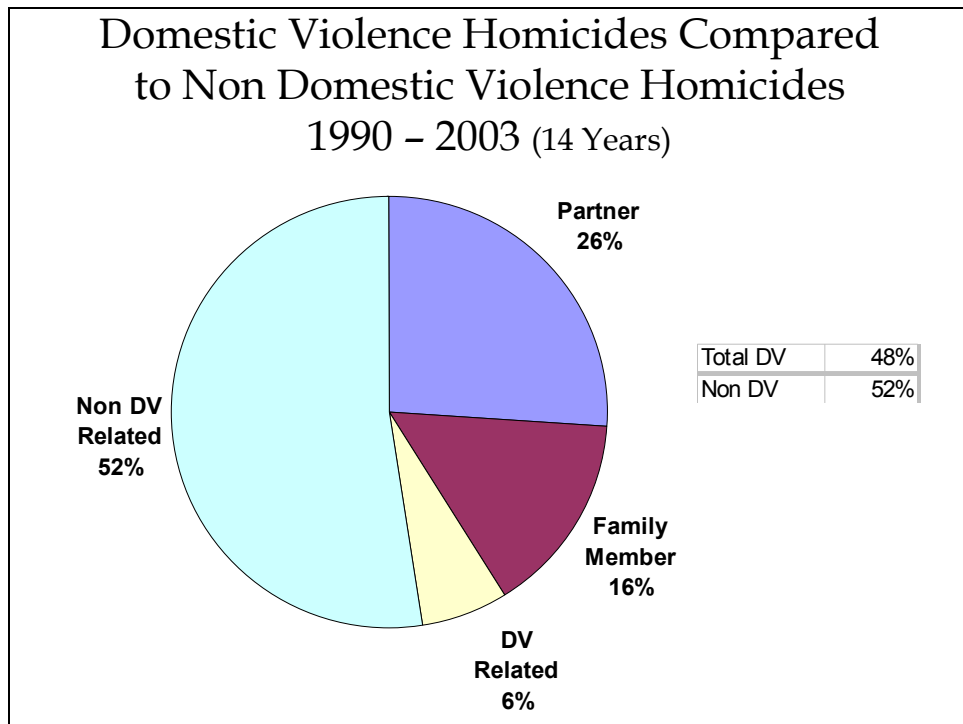


FIGURE 5

Figure 6 demonstrates that for the most recent five year timeframe, there was a slightly higher percentage of total domestic violence homicides, namely from 48% for the 14 years to 52% reflecting the most recent five years.

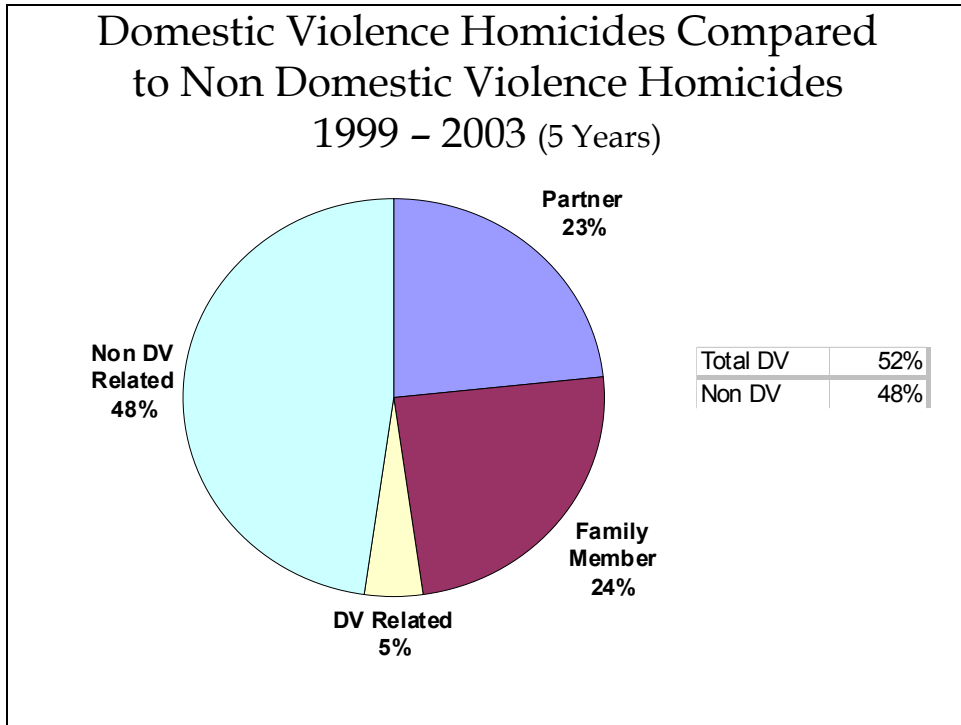


FIGURE 6

Figure 7 reflects the breakdown in types of domestic violence homicides for the 14-year timeframe. As noted above, there were 133 domestic violence homicides from 1990 through 2003. The vast majority of these homicides were partner homicides (54%), followed by family member (32%) and then domestic violence related (14%). The chart shows a breakdown by each year.

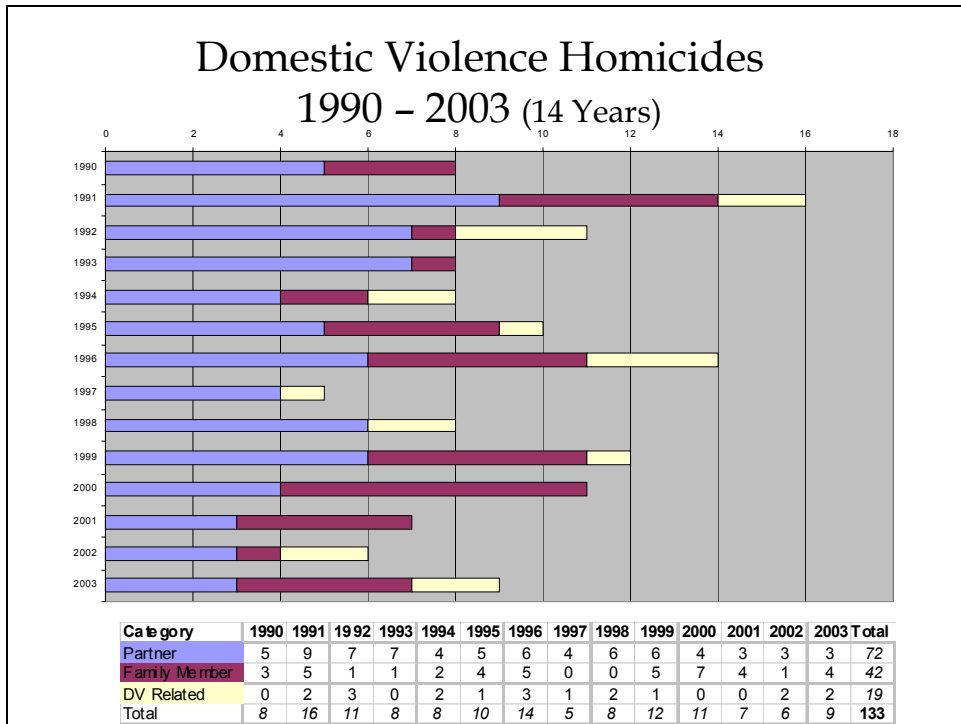


FIGURE 7

It is interesting to look at Figure 8, reflecting the most recent five years. In 2000 and 2001, all of the homicides were either partner or family member homicides, with none being domestic violence related. On the other hand, there were very few family member homicides in 2002 but that number increased again in 2003, exceeding to the number of partner homicides.

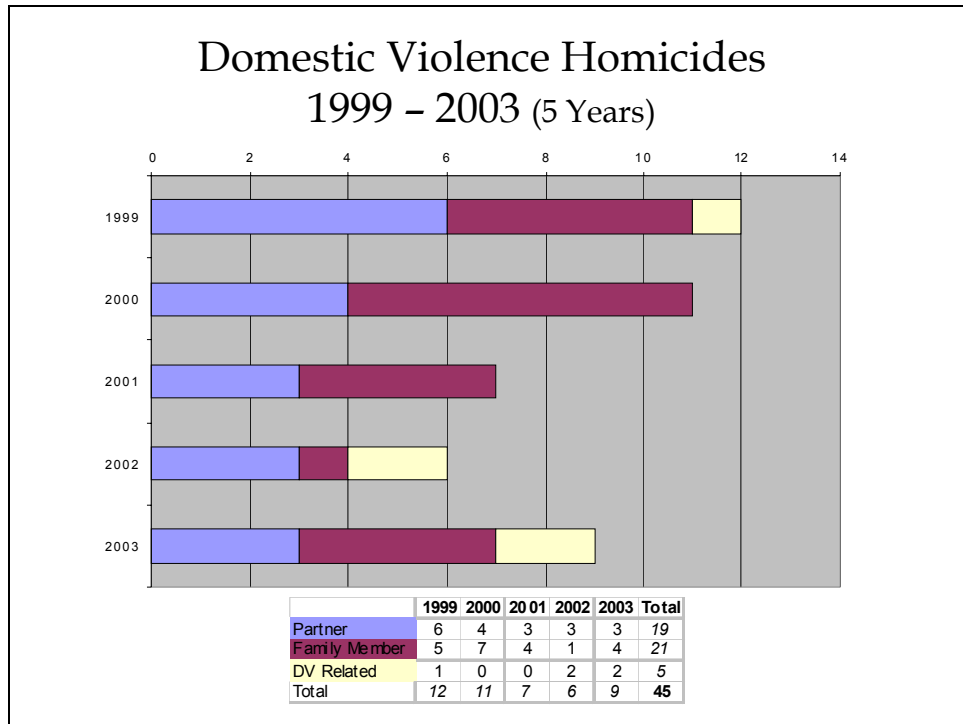


FIGURE 8

Figure 9 reflects the domestic violence homicides broken down by the sex of the perpetrator. For that 14-year period, 14% of the perpetrators were females, while 86% of the perpetrators were male. These numbers are fairly consistent with national data regarding the gender breakdown for perpetrators of domestic violence homicide.

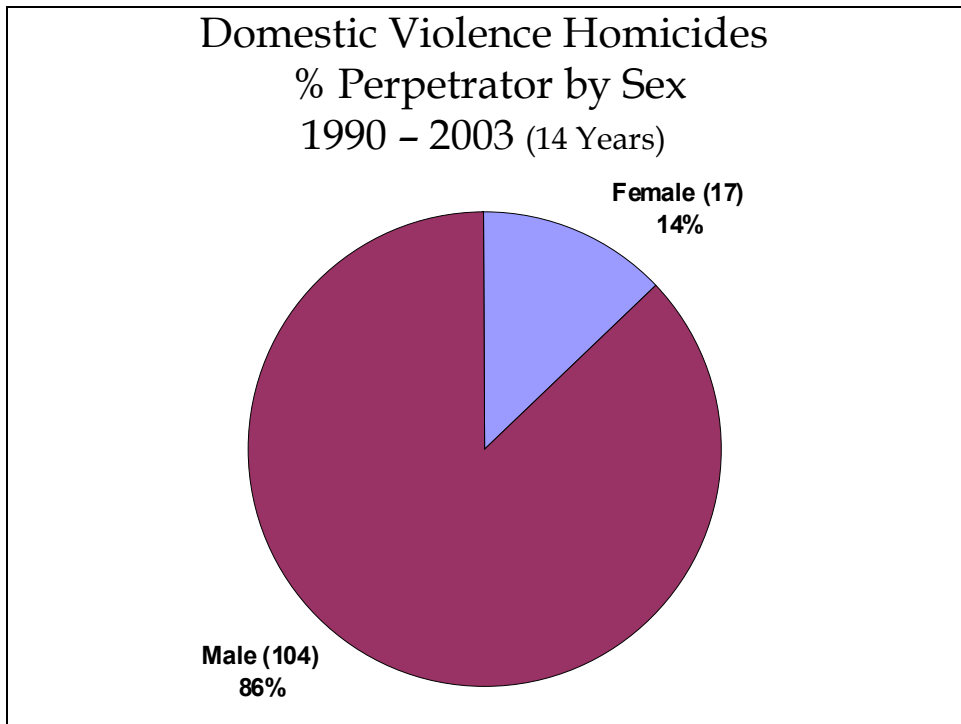


FIGURE 9

The Committee looked at the relationship between domestic violence perpetrators and their victims. Figures 10 and 11 depict the *relationship* of domestic violence perpetrators to victims by sex and category of homicide for the 14 years for which numbers and percentages were gathered, respectively. As the reader will note, there were 121 perpetrators of domestic violence homicides for the 14 years. However, some of the perpetrators killed more than one victim and thus the total number (139) exceeds the number of domestic violence homicide victims because these charts reflect the *relationships* between perpetrators and victims and not the raw number of each. For example, there was one situation where two brothers killed their parents. Thus, each of the two perpetrators had two relationships, one with the mother and one with the father. However, they were the same two victims who are considered twice because of their relationships to the perpetrators.

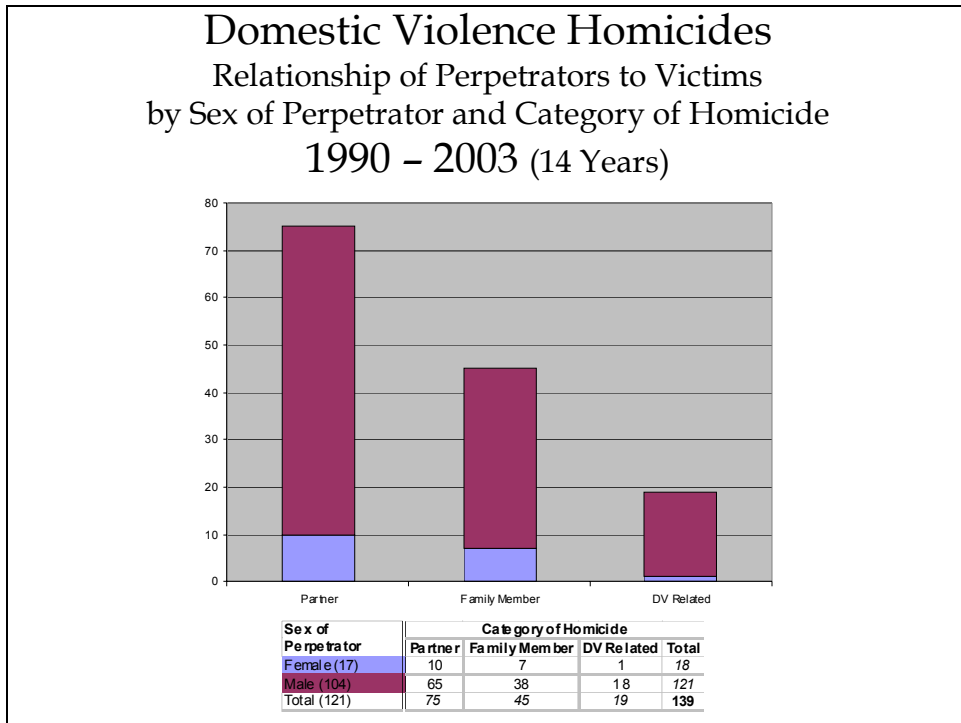


FIGURE 10

The most important information to gather from these charts is that as shown on Figure 11, for the female perpetrators, 56% of their victims are partners, 39% are family members and 5% are domestic violence related. For male perpetrators, 54% of their victims are partners, but a higher percentage of victims of male perpetrators are domestic violence related (15%) than for female perpetrators (5%).

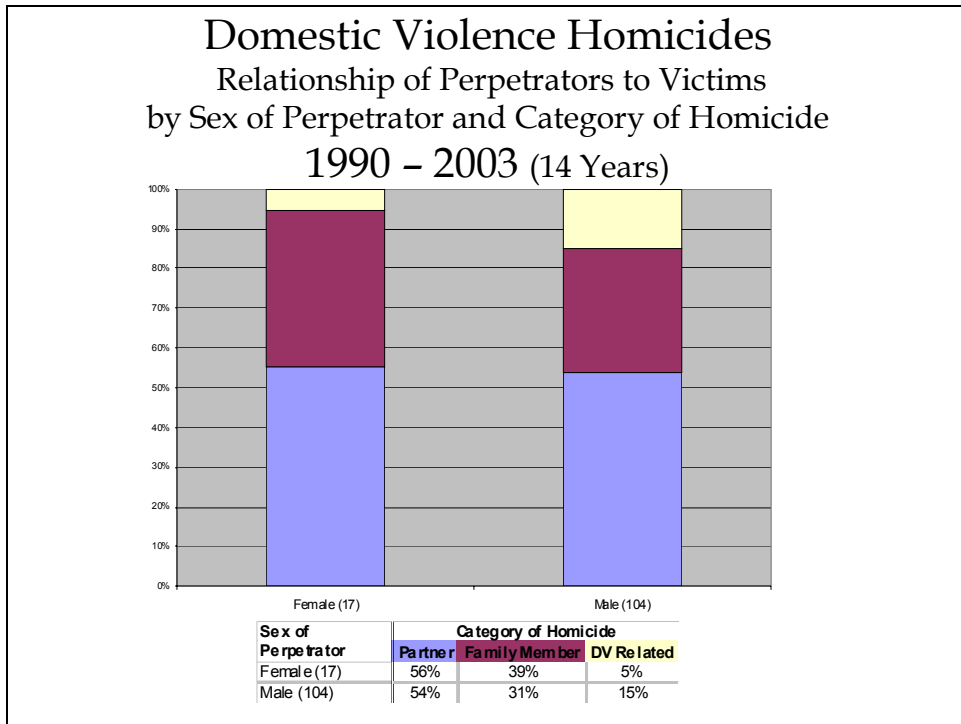


FIGURE 11

The Committee also looked at the percentage of domestic violence homicide perpetrators by sex for the most recent five years. In reviewing Figure 12, the reader will note that over three-quarters of the perpetrators of domestic violence homicide are male, and less than one-quarter, female. As will be observed, a greater percentage of perpetrators are female for the most recent five years than was the case for the 14-year timeframe (see Figure 9).

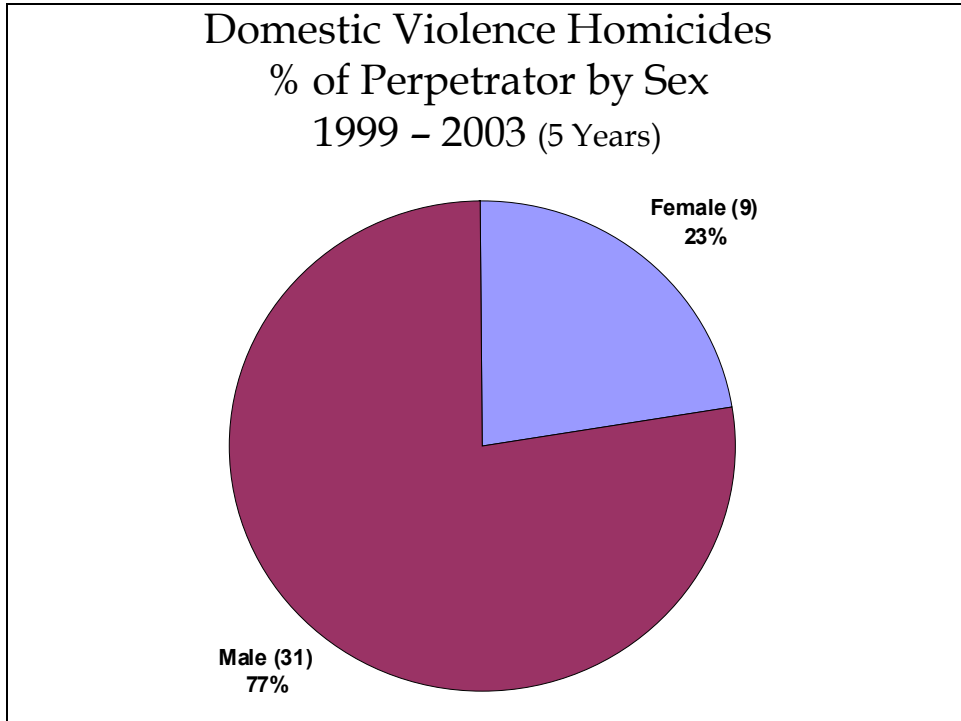
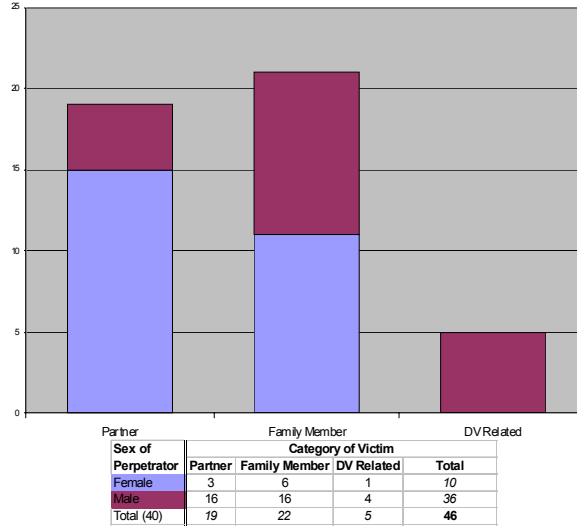


FIGURE 12

Figures 13 and 14 show this information for the most recent five-year period. As noted in Figure 13, most of the domestic violence homicides committed by women are toward family members (6 of 10). Of the domestic violence homicides committed by men an equal number were against partners and family members (16 each). The percentages are listed in Figure 14, noting that of the partner homicides, 16% were committed by women compared to 84% committed by men. Of the family member homicides, 27% were committed by women compared to 73% by men. No women committed a domestic violence related homicide during this period.

Domestic Violence Homicides Relationship of Perpetrators to Victims by Sex of Perpetrator and Category of Homicide 1999 - 2003 (5 Years)



FIGURES 13

Domestic Violence Homicides Relationship of Perpetrator to Victims by Sex of Perpetrator and Category of Homicide 1999 - 2003 (5 Years)

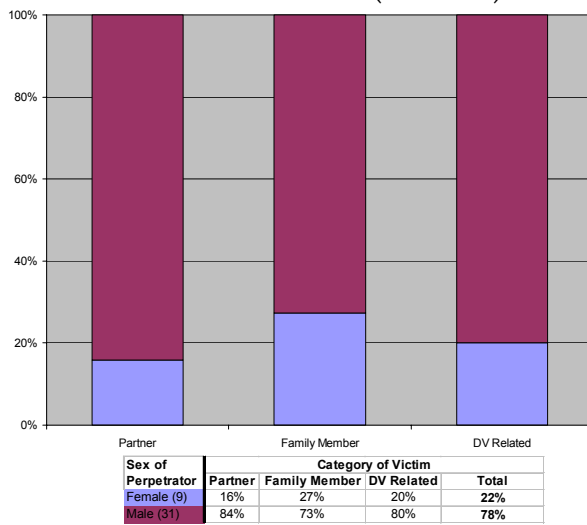


FIGURE 14

In addition to looking at the sex of the perpetrators, it is also interesting to look at the sex of the victims. Figure 15 reflects that over the period of 1990 through 2003, 62% of the victims were female, while 38% of the victims were male.

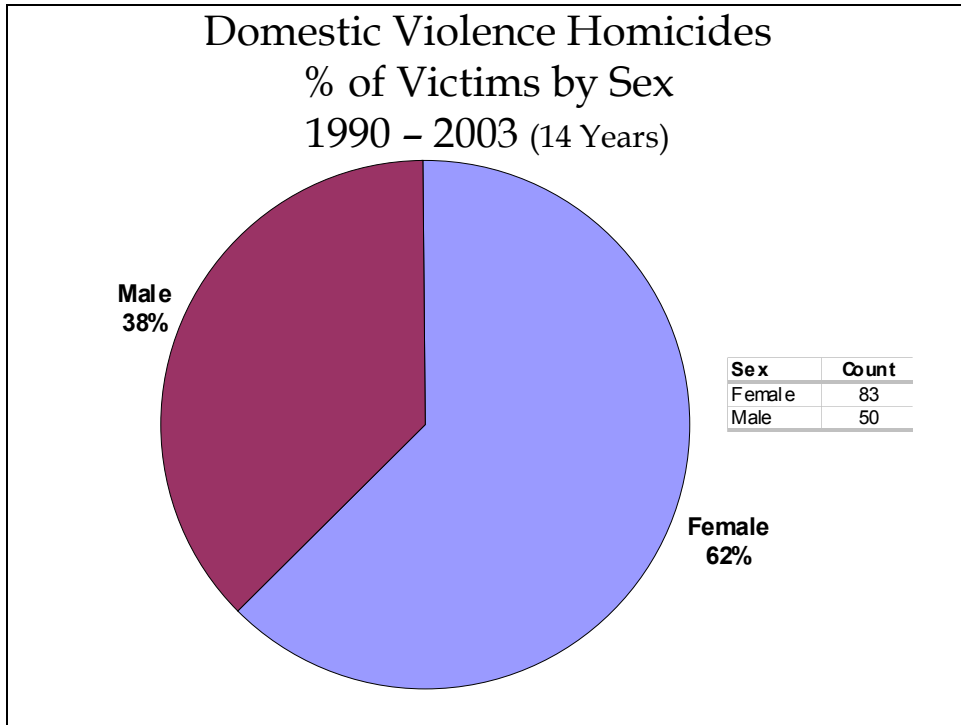


FIGURE 15

At first glance, the percentage of male victims might seem rather high. However, as further demonstrated in Figures 16 and 17, many of the male victims are involved in homicides that are domestic violence related, as opposed to being intimate partners or family members. Women are more likely to be the victims of partner homicide whereas men are equally likely to be victims of partner, family member and domestic violence related. Indeed, 82% of the partner homicides are female as opposed to 18% of male. Conversely, only 5% of the domestic violence related victims are female, while 95% are male.

Domestic Violence Homicides # of Victims by Sex and Category 1990 - 2003 (14 Years)

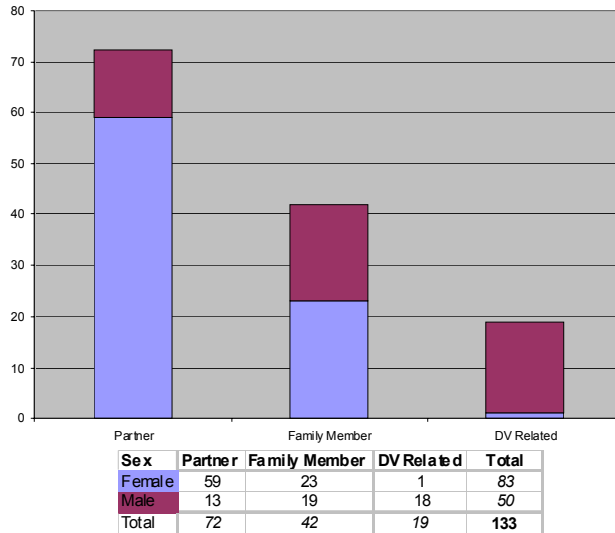


FIGURE 16

Domestic Violence Homicides % of Victims by Sex and Category 1990 - 2003 (14 Years)

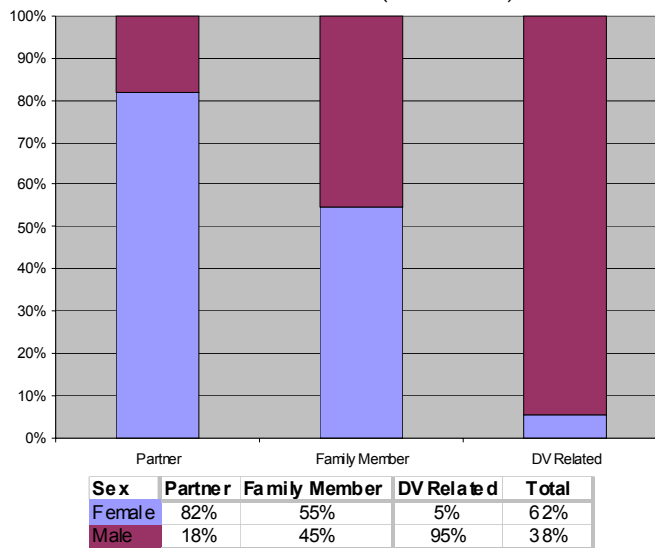


FIGURE 17

Figures 18, 19 and 20 are parallel representations concerning the sex of victims and the type of homicides, but for the most recent five-year period. Figure 18 reflects that for the most recent five years, the percentage of male victims has actually increased by 4%, thus the percentage of female victims has decreased by 4%. While this may indicate a trend toward increased incidence of male victims, we are unable to draw statistically significant conclusions from these observations.

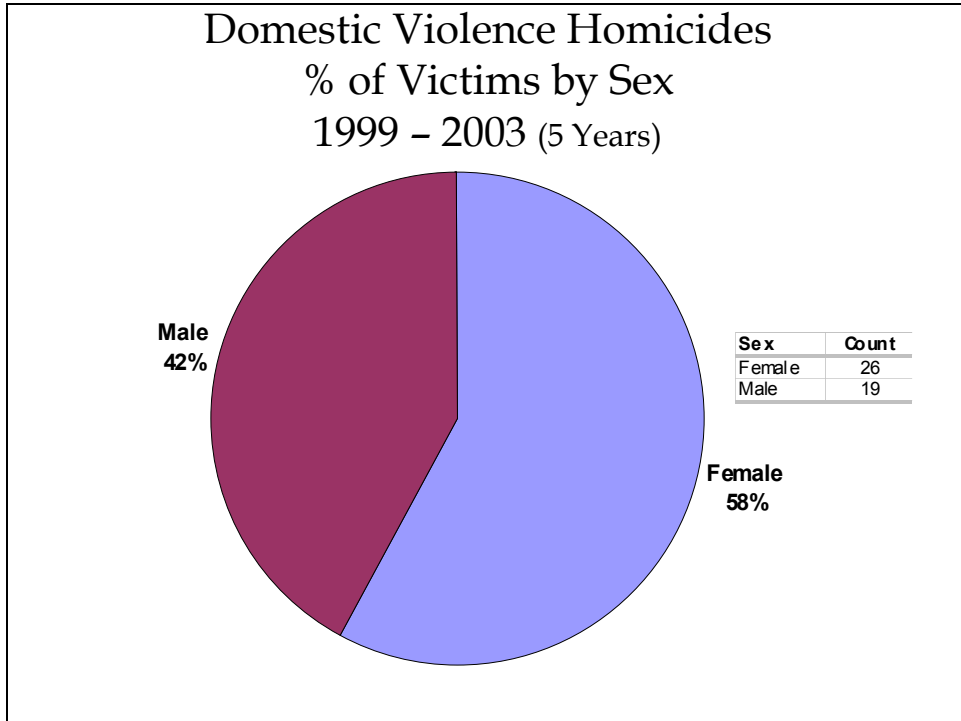


FIGURE 18

The vast majority (79%) of the partner victims are female, compared to 21% being male. Conversely, for the most recent five years, none of the domestic violence related homicide victims was female. One hundred percent were male.

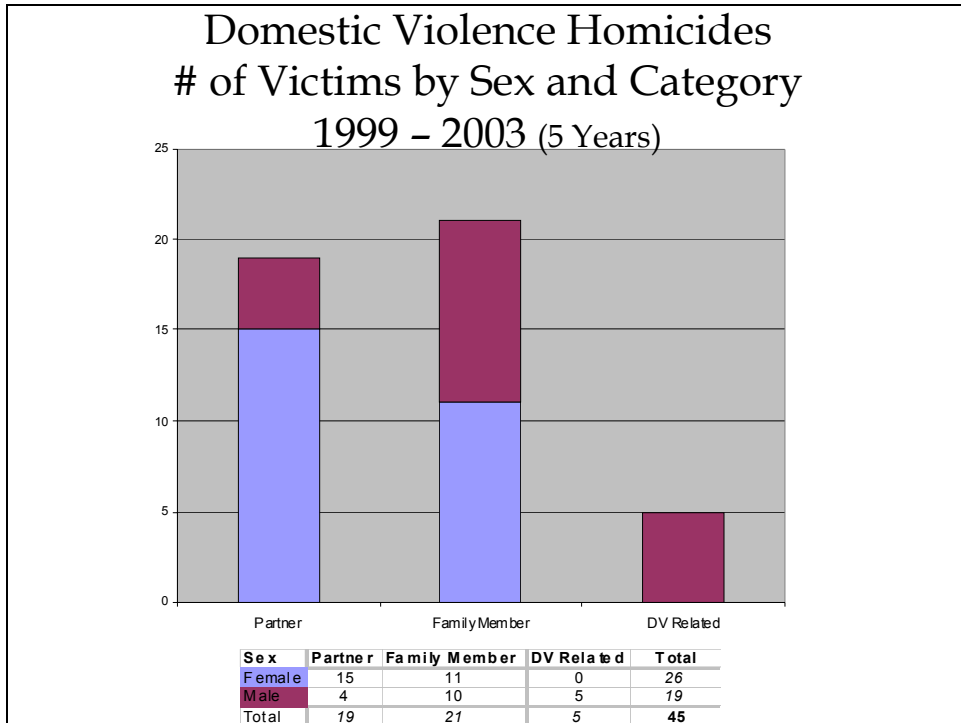


FIGURE 19

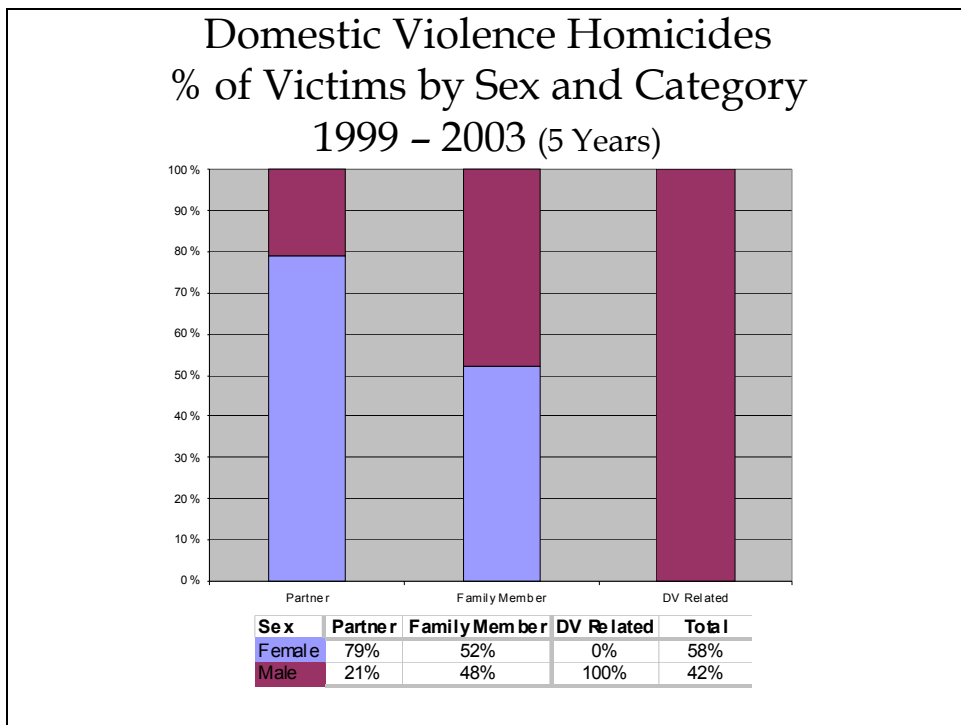


FIGURE 20

Figures 21 and 22 demonstrate the ages of victims and perpetrators for *all* homicides from 1990 through 2003 and then the most recent five years. Thereafter, Figures 23 and 24 share the same information, but for *domestic violence* homicides only. In looking at Figures 21 and 22, the average age of victims of *all* homicides is 36, while the most frequent age is 33. For perpetrators, the average age is 32, although the most frequent age is 23. These statistics are very similar for the most recent five years.

For the *domestic violence* homicides only shown in Figures 22 and 23, the average age for the 14-year timeframe for victims is 35 with the most frequent age being 37, while the average age of perpetrators is 36 with the most frequent age being 29. The figures are similar for the most recent five years with the exception that perpetrators have, in recent years, been slightly older on average. Note that some of the victim and perpetrator statistics are missing the ages of the persons involved. Therefore, these four figures reflect only the ages of those victims and perpetrators that are known.

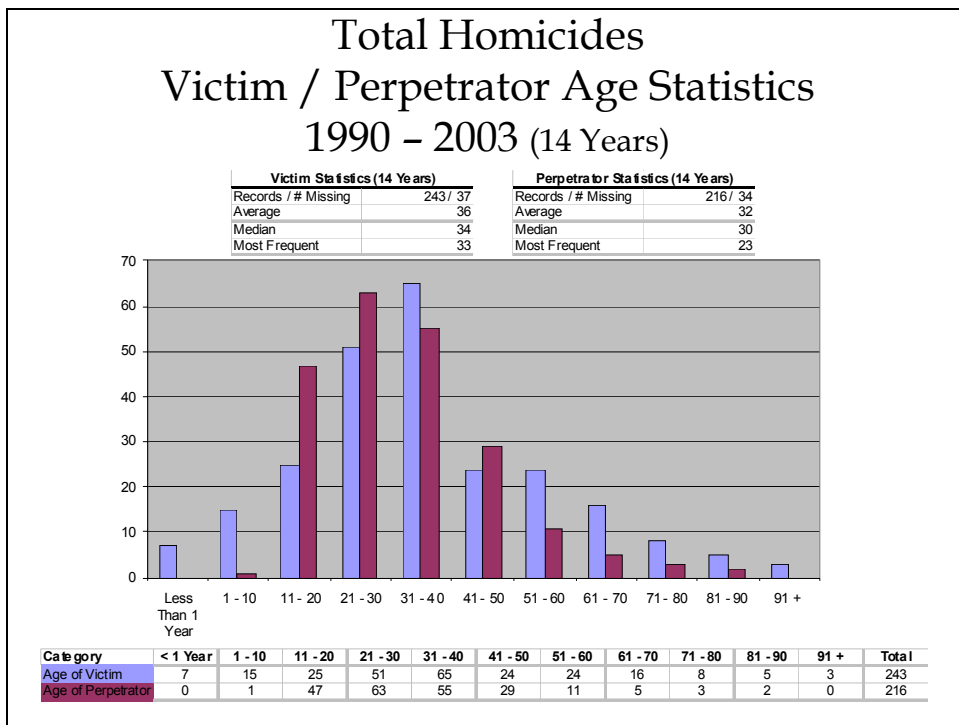


FIGURE 21

Total Homicides Victim / Perpetrator Age Statistics 1999 - 2003 (5 Years)

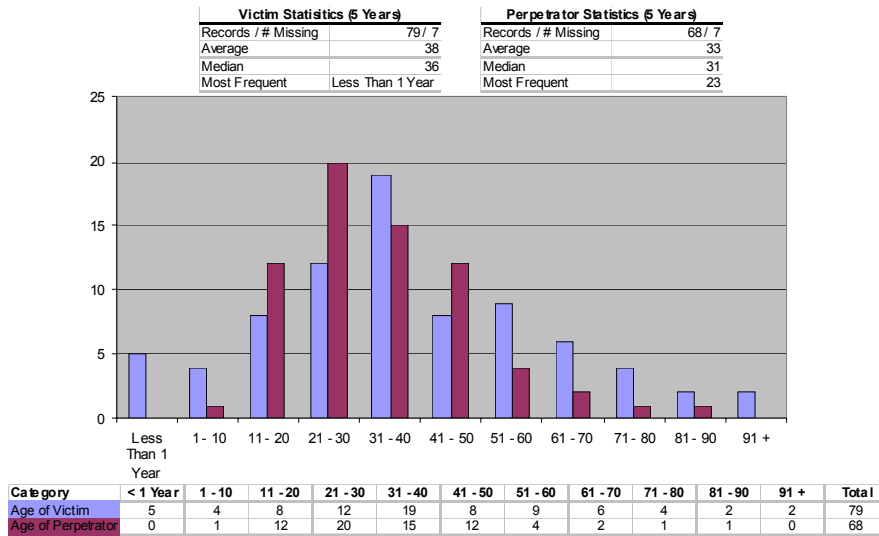


FIGURE 22

Total Domestic Violence Homicides Victim / Perpetrator Age Statistics 1990 - 2003 (14 Years)

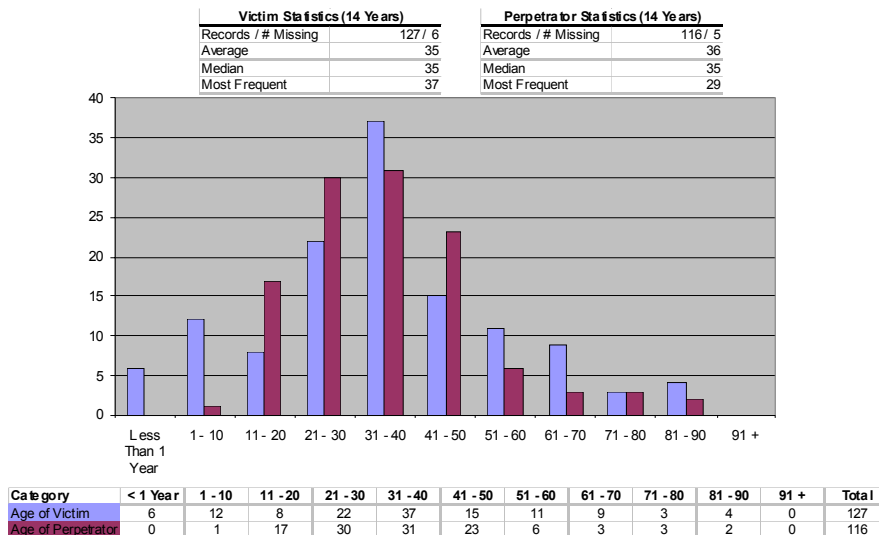
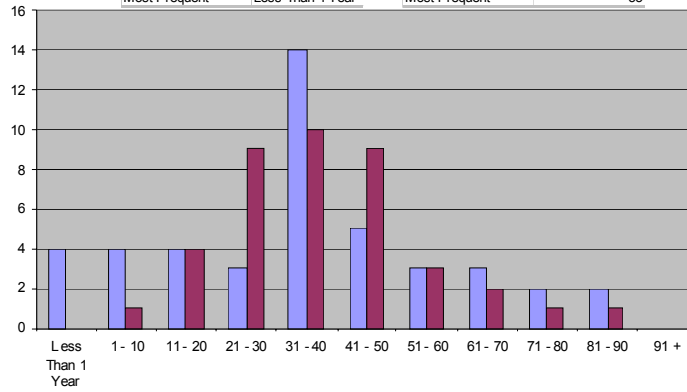


FIGURE 23

Total Domestic Violence Homicides Victim / Perpetrator Age Statistics 1999 - 2003 (5 Years)

Victim Statistics (5 Years)		Perpetrator Statistics (5 Years)	
Records / # Missing	44 / 1	Records / # Missing	40 / 0
Average	35	Average	39
Median	36	Median	38
Most Frequent	Less Than 1 Year	Most Frequent	35



Category	< 1 Year	1 - 10	11 - 20	21 - 30	31 - 40	41 - 50	51 - 60	61 - 70	71 - 80	81 - 90	91 +	Total
Age of Victim	4	4	4	3	14	5	3	3	2	2	0	44
Age of Perpetrator	0	1	4	9	10	9	3	2	1	1	0	40

FIGURE 24

The Committee has also looked at the cause of death of all homicides, as well as domestic violence homicides. Figure 25 shows the breakdown of causes of death in the 280 homicides committed between 1990 and 2003. As will be noted, the vast majority (40%) of all homicides were committed by use of a handgun (112 of the 280). The next most frequent weapon utilized was a sharp instrument that would cause cutting or stabbing (53 of the 280, or 19%). The next most common causes of death were by beating, blunt impact or long gun. When considering all firearms together (handgun and long gun), the percentage of homicides caused by firearms was 49%.

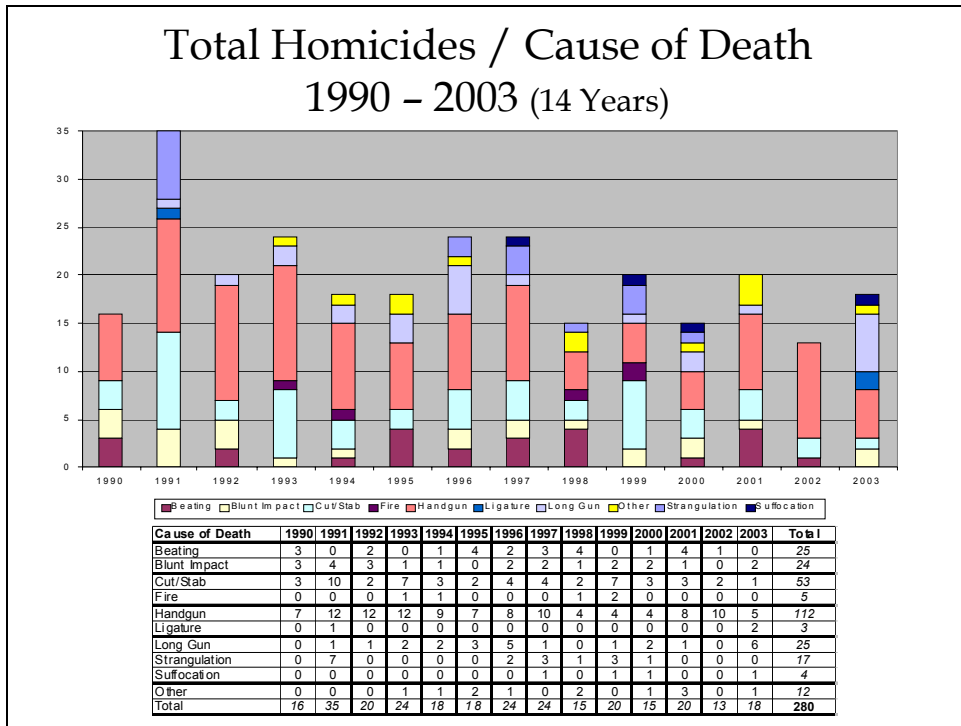


FIGURE 25

Figure 26 reflects the causes of death for the most recent five years, once again demonstrating that handguns are the most frequent cause of death, followed by knives and long guns. Again, the percentage of homicides involving the use of all firearms was 48%.

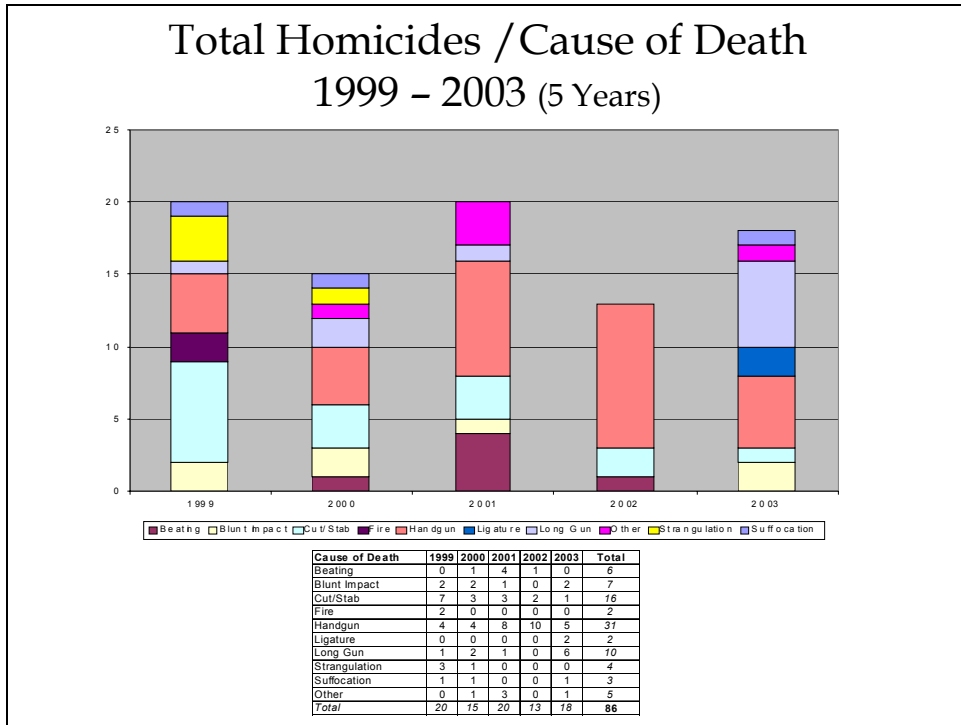


FIGURE 26

Because the categories “blunt impact” and “cut/stab” could refer to any number of different weapons, we have included two figures that depict some of the specific types of weapons used. Figure 27 depicts the different types of blunt impact weapons for the timeframe of 1990 through 2003, including such weapons a barbell, tire iron, baseball bats, axes and hammers, while Figure 28 includes the different types of knives used in homicides, including a boning knife, saber and hunting knives.

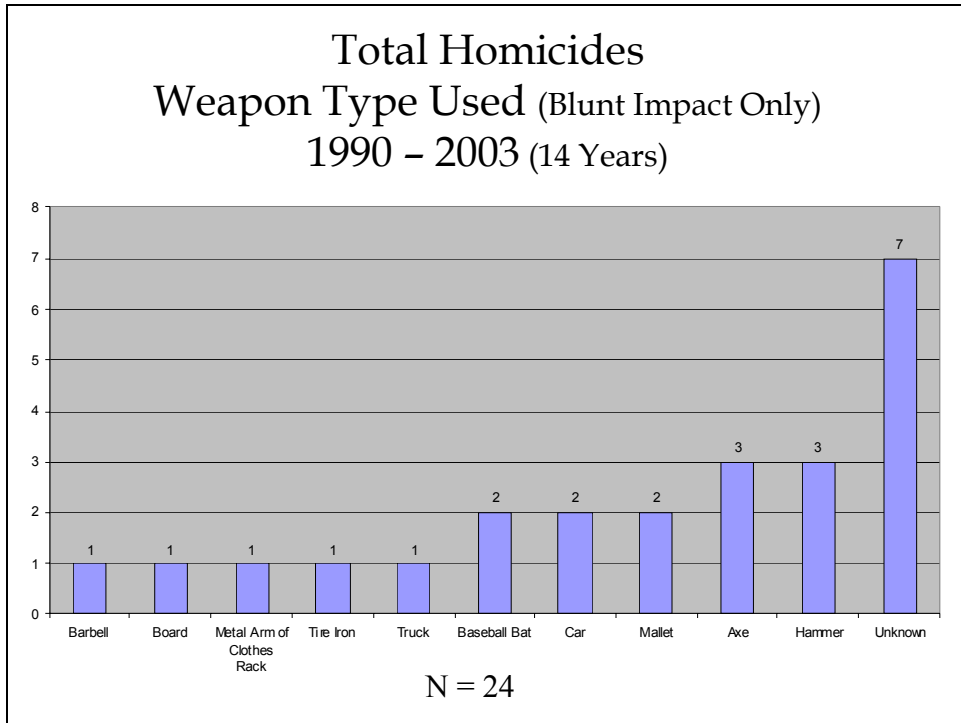


FIGURE 27

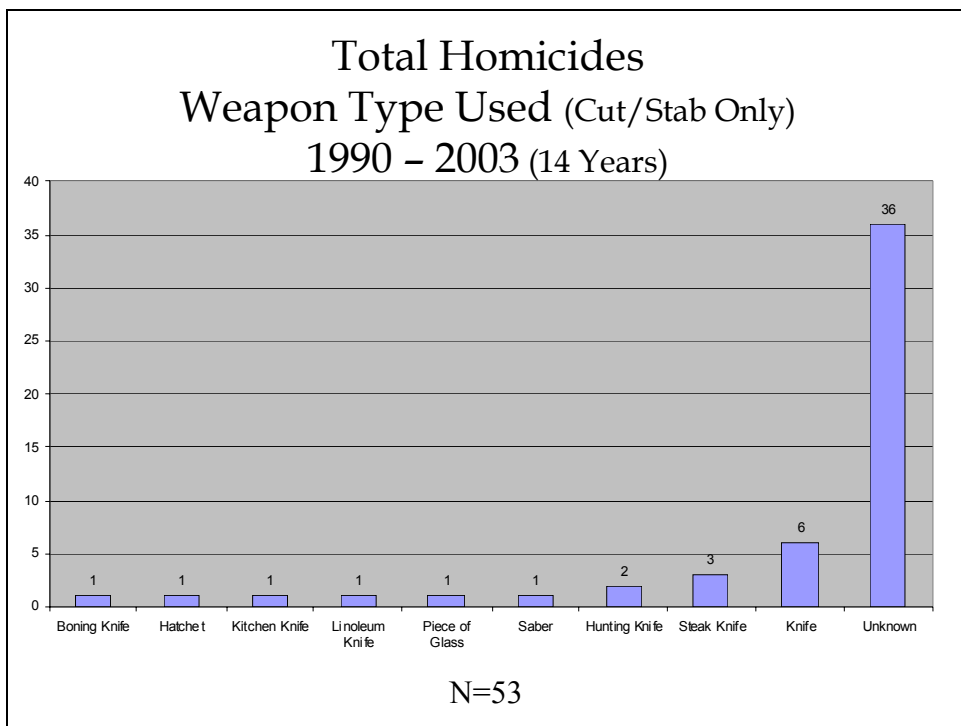


FIGURE 28

Because of the large number of homicides committed by use of firearms, the Committee took a more detailed look at the issue of the use of firearms, both handguns and long guns, in total homicides and domestic violence homicides. The next series of charts depicts information concerning the use of firearms.

Figure 29 shows the breakdown of total homicides by use of firearms versus non-firearms for the 14-year period of 1990 through 2003. Of the 14 years, calendar year 2002 had the greatest percentage of total homicides committed by use of firearms (77%). The lowest percentage occurred in 1999 where 25% of homicides were committed by firearms.

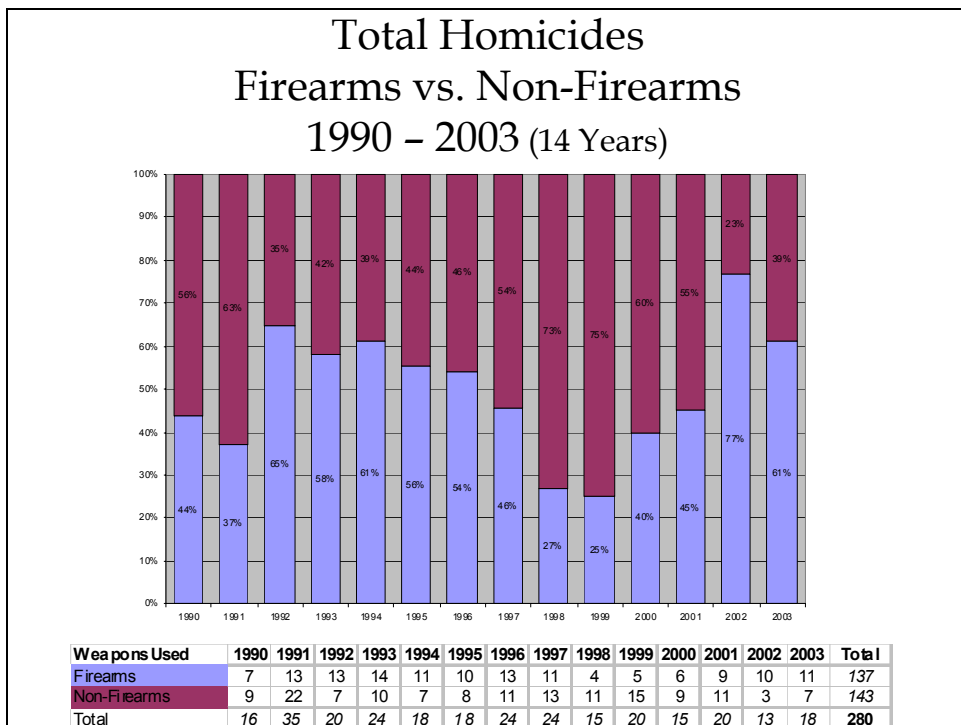


FIGURE 29

Figure 30 simply reflects this information for the most recent five years.

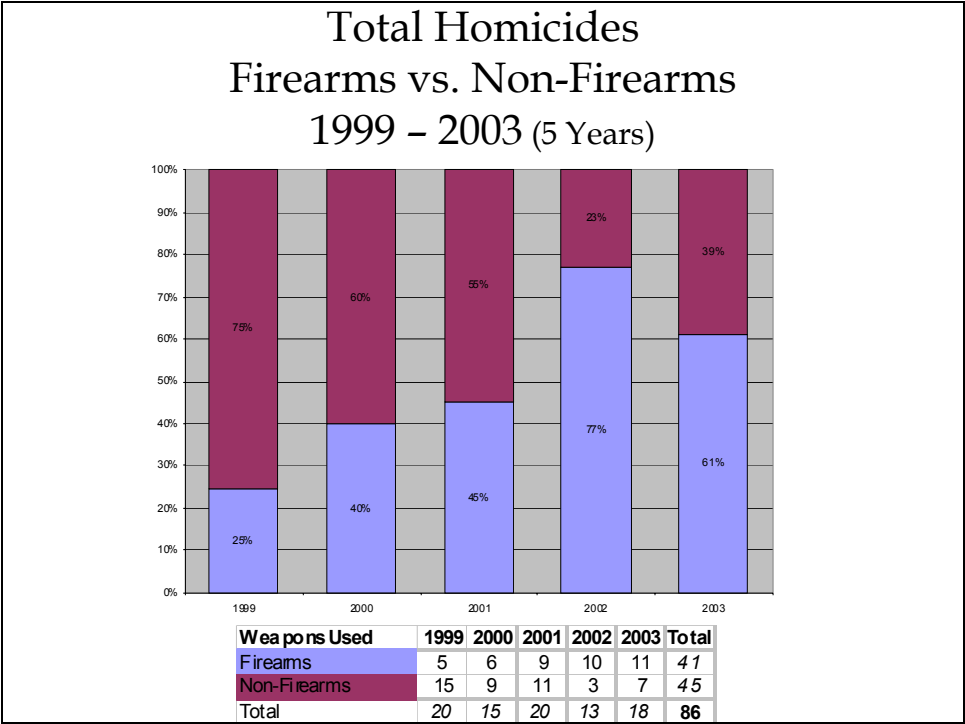
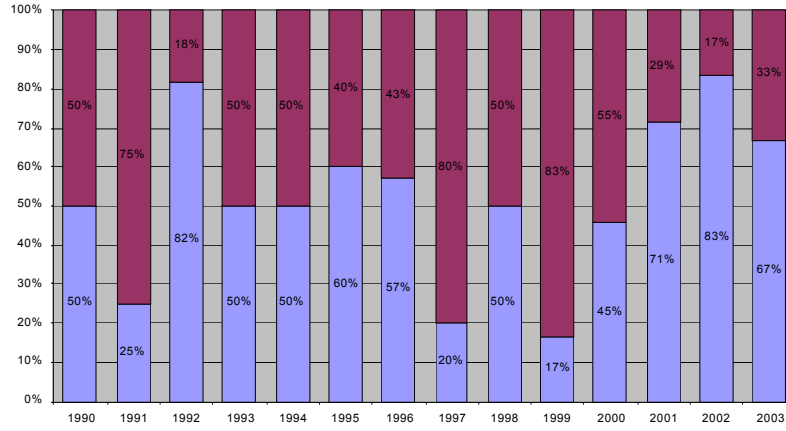


FIGURE 30

Figures 31 and 32 look at just the domestic violence homicides, as contrasted with the total homicides shown in Figures 29 and 30. Of the total domestic violence homicides committed between 1990 and 2003, again calendar year 2002 had the highest percentage of domestic violence homicides committed by firearms, namely 83%. 1992 was the second highest, with 82%. Figure 32, once again, shows the most recent five years.

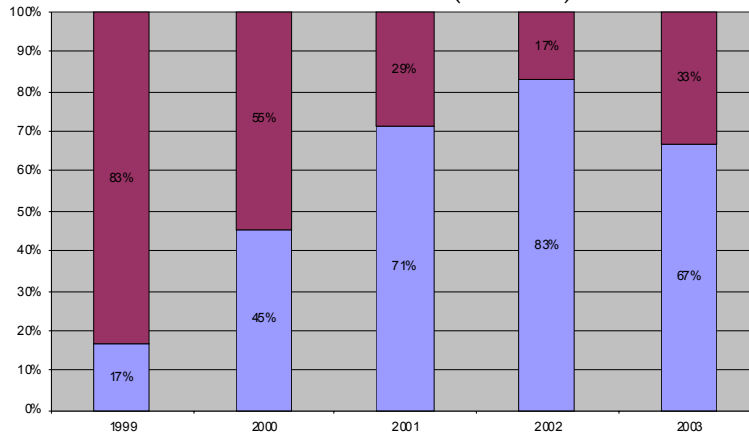
Total Domestic Violence Homicides Firearms vs. Non-Firearms 1990 - 2003 (14 Years)



Weapons Used	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	Total
Firearms	4	4	9	4	4	6	8	1	4	2	5	5	5	6	67
Non-Firearms	4	12	2	4	4	4	6	4	4	10	6	2	1	3	66
Total	8	16	11	8	8	10	14	5	8	12	11	7	6	9	133

FIGURE 31

Total Domestic Violence Homicides Firearms vs. Non-Firearms 1999 - 2003 (5 Years)



Weapons Used	1999	2000	2001	2002	2003	Total
Firearms	2	5	5	5	6	23
Non-Firearms	10	6	2	1	3	22
Total	12	11	7	6	9	45

FIGURE 32

What is interesting to observe from Figures 29 through 32 is that overall, for the 14 years of data collected, 49% of all homicides were committed by use of firearms, and 50%, virtually the same percentage, of domestic violence homicides were committed by use of firearms. Thus, there appears to be no difference in the relationship between victim and perpetrator as to whether firearms are used or not.

However, when examining these data by sex of the perpetrator, significant differences in the use of firearms emerge. Figures 33 and 34 look at the breakdown of perpetrators by sex for those who use firearms. Of all homicides where a firearm is used, 95% of the perpetrators are male and 5% are female. In the most recent five years as reflected in Figure 34, the percentage of males increased to 97%, and females decreased to 3%.

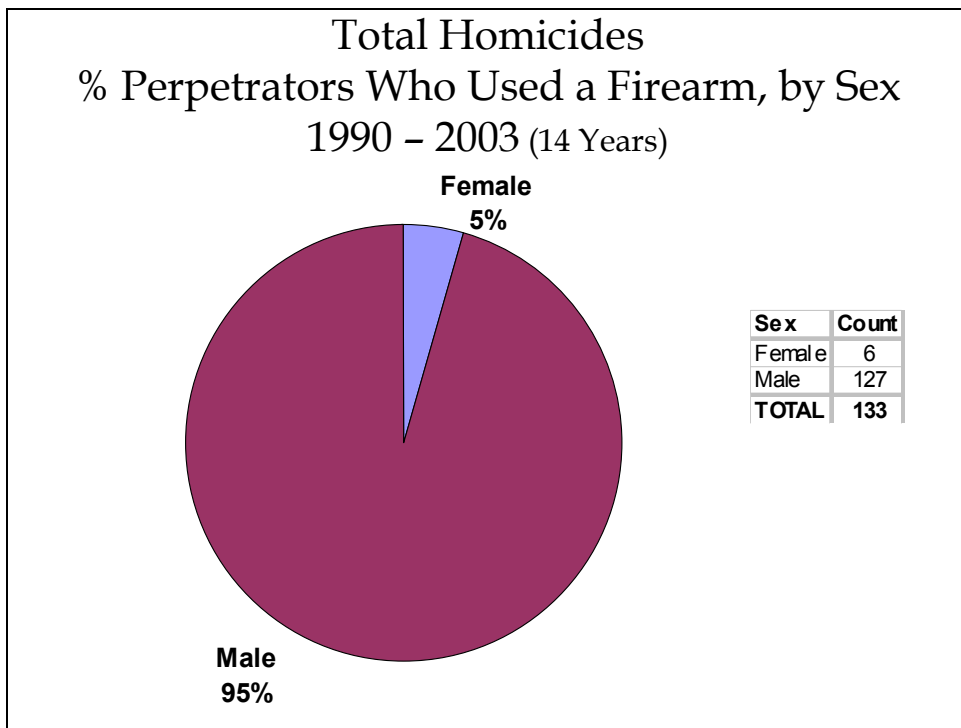


FIGURE 33

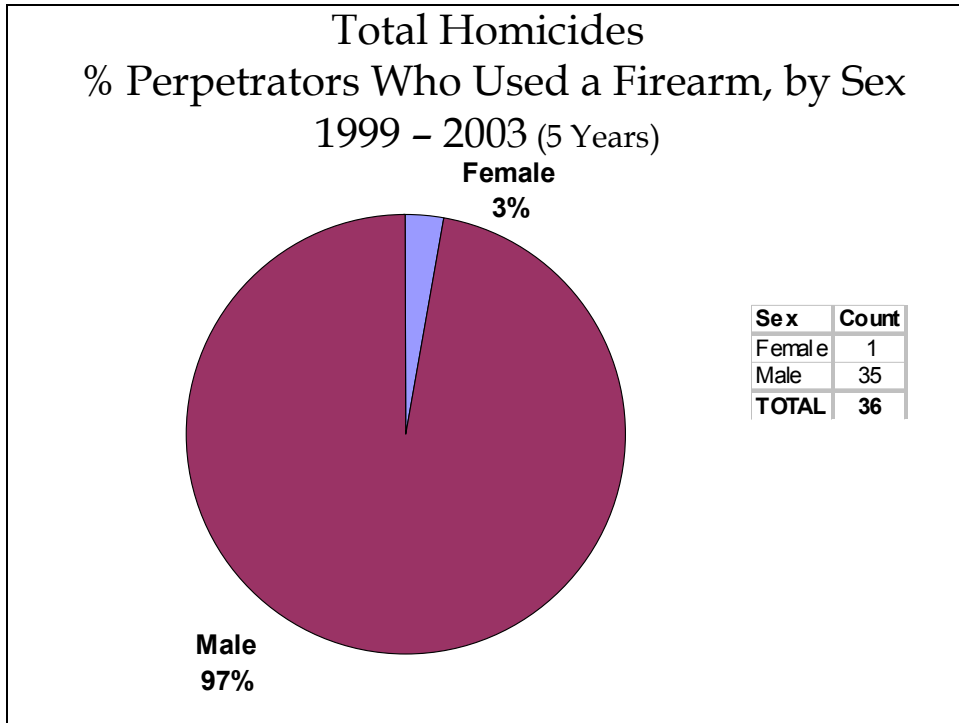


FIGURE 34

For the domestic violence homicides, however, Figures 35 and 36 reveal that the overall percentage of male perpetrators who used firearms was slightly lower, 92%, and females were 8% of the total over the 14 years. For the most recent five years, the percentage of male perpetrators of domestic violence homicides who used firearms was 95%, and 5% female. Thus, there appears, once again, to be very little distinction in the ratio between male and female users of firearms for all homicides, as distinguished from domestic violence homicides.

There is, however, a significant difference in the use of firearms by sex of the perpetrator. Men are far more likely to use firearms than women, by overwhelming margins.

In future reports, we will look at the breakdown of weapon by sex of perpetrator.

**Total Domestic Violence Homicides
% Perpetrators Who Used a Firearm, by Sex
1990 - 2003 (14 Years)**

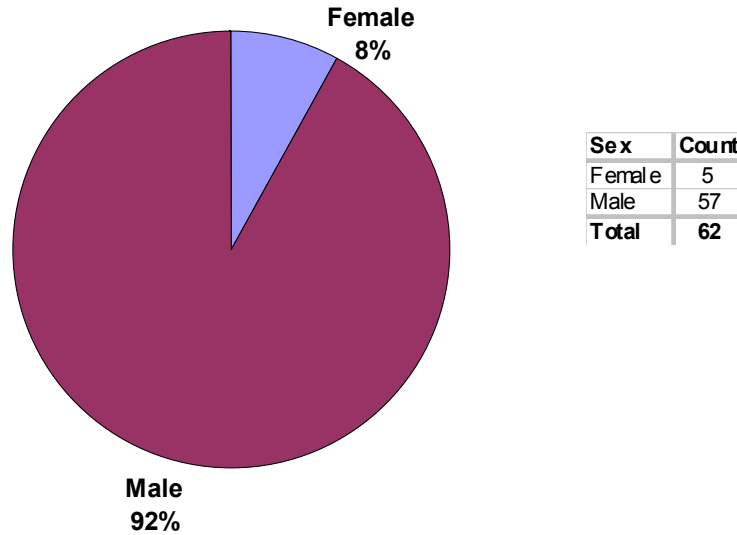


FIGURE 35

**Total Domestic Violence Homicides
% Perpetrators Who Used a Firearm, by Sex
1999 - 2003 (5 Years)**

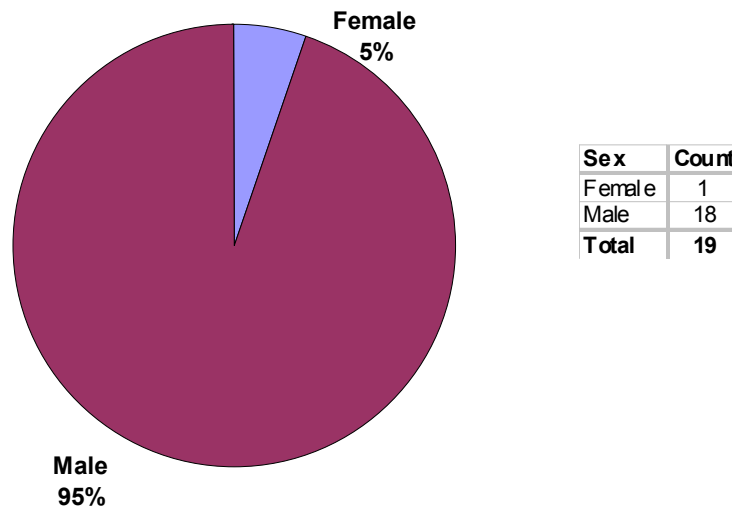


FIGURE 36

The Committee also looked at information concerning when the homicides occurred, including the month, weekday and time of day. As depicted in Figures 37 and 38, the month where the greatest number of total homicides occurred was August (32, or 11%), followed by February and September (29 each, 10%). In the most recent five years, however, the months were January, July, September and October. For the domestic violence homicides, however, for the 14-year period, the homicides are fairly evenly distributed, although September had the greatest number (14, or 11%), followed by January, February, July and October, with 10% each. For the most recent five years, the domestic violence homicides occurred most frequently in July and September with 7 each (16%), followed by January and February with 5 each (11%). There does not appear to be any pattern or trend that can be discerned from this information.

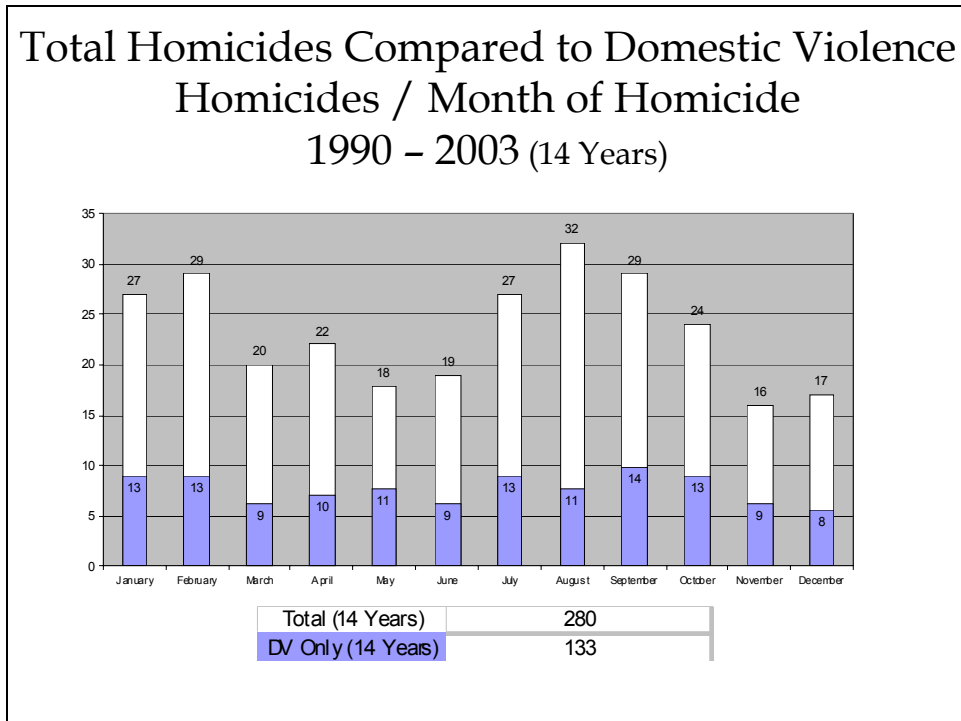


FIGURE 37

Total Homicides Compared to Domestic Violence Homicides / Month of Homicide 1999 - 2003 (5 Years)

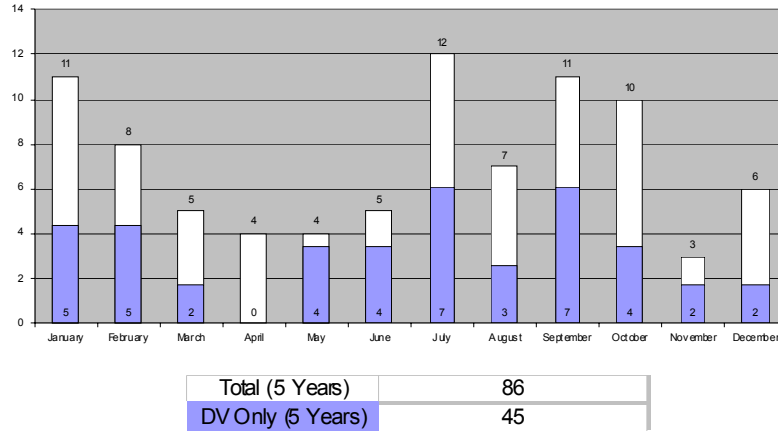


FIGURE 38

Figures 39 and 40 look at the weekday of homicide, comparing total homicides to domestic violence homicides. For the 14-year timeframe, Friday and Saturday were the days most likely for *all* homicides to occur. Interestingly, Wednesdays were the most frequent day for *domestic violence* homicides. For the most recent five years, again Friday and Saturday are the most frequent days for all homicides, but Monday was the most frequent day for domestic violence homicides, although the DV homicides are fairly evenly distributed throughout the week with the exception of Sunday which had very few.

Total Homicides Compared to Domestic Violence Homicides / Weekday of Homicide 1990 - 2003 (14 Years)

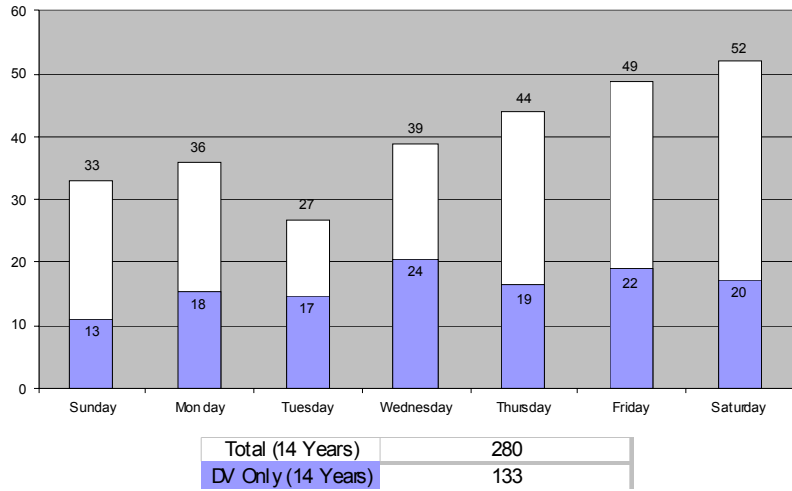


FIGURE 39

Total Homicides Compared to Domestic Violence Homicides / Weekday of Homicide 1999 - 2003 (5 Years)

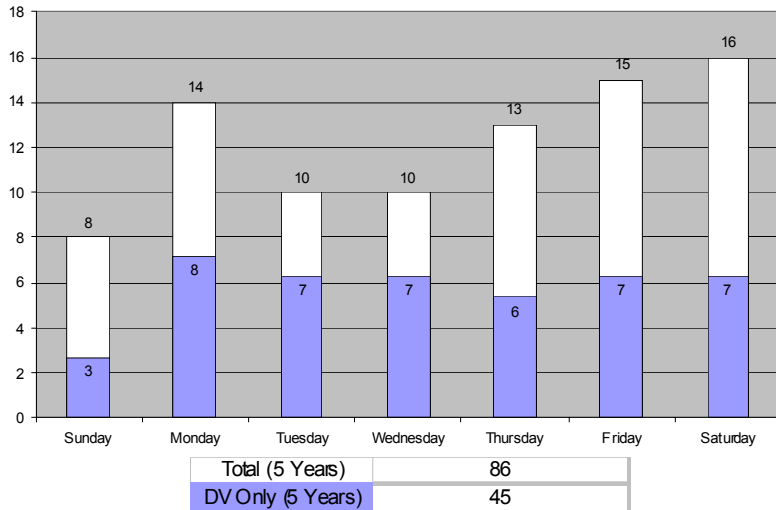


FIGURE 40

Figures 41 and 42 depict the time of day of all homicides compared to domestic violence homicides. Over the 14 years, for those where the time of day was known (many of the early records did not include the time of day of the homicide), most homicides occurred between 6:00 p.m. and midnight. Similarly, this was also the time when most domestic violence homicides occurred. For the most recent five years, of those records available, again, the evening hours of 6:00 p.m. to midnight were the most frequent time of all homicides occurred as well as domestic violence homicides.



FIGURE 41

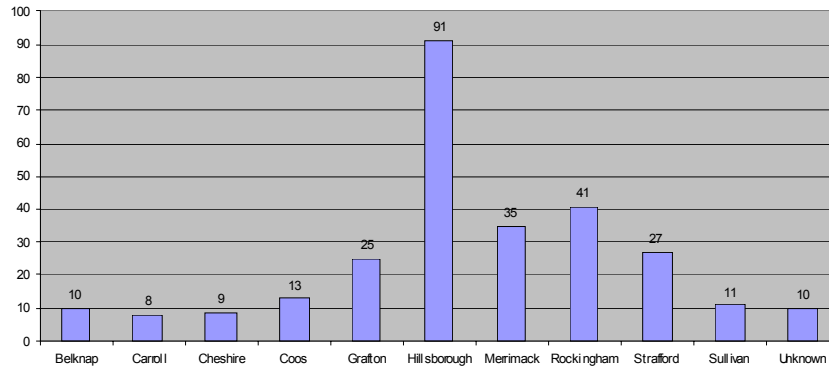


FIGURE 42

Figures 43, 44, 45 and 46 provide information concerning the location of the homicide by county. Because this information can be misleading, Figure 47 shows the number of homicides on a per capita basis to more accurately reflect the areas of the State where homicides occur most frequently. Figure 43 reflects that Hillsborough had the greatest number of homicides over the 14 years, and Figure 44 once again shows that Hillsborough has the greatest number for the most recent five years. Similarly, for the domestic violence homicides, Figures 45 and 46 show that once again, Hillsborough County has the greatest number of domestic homicides. This is not surprising given that the population of Hillsborough County is the greatest in the State.

Figure 47 is most illustrative. It shows the total number of homicides as well as the domestic violence homicides broken down by county. It also shows the rate of homicides per 100,000, reflecting that Coos County has by far the greatest rate of *total* homicides, and additionally has the greatest rate of *domestic violence* homicides. The next closest for both total homicides and domestic violence homicides is Grafton County. At the other end of the spectrum is Belknap County, where there have been no homicides of any sort in the most recent five years.

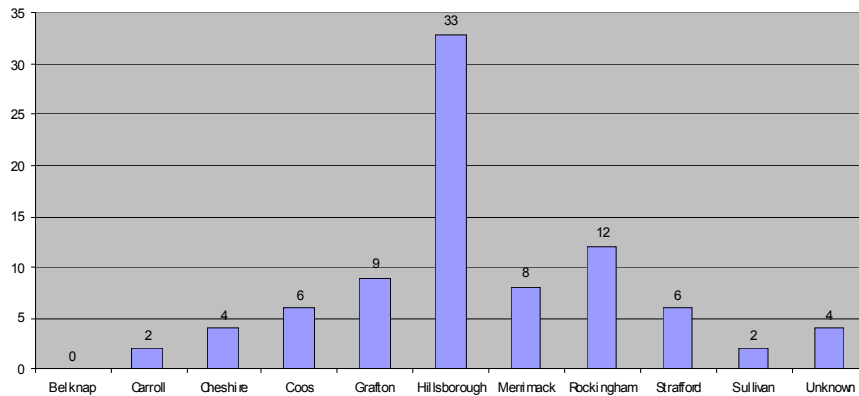
Total Homicides County Where Homicide Occurred 1990 - 2003 (14 Years)



N=280

FIGURE 43

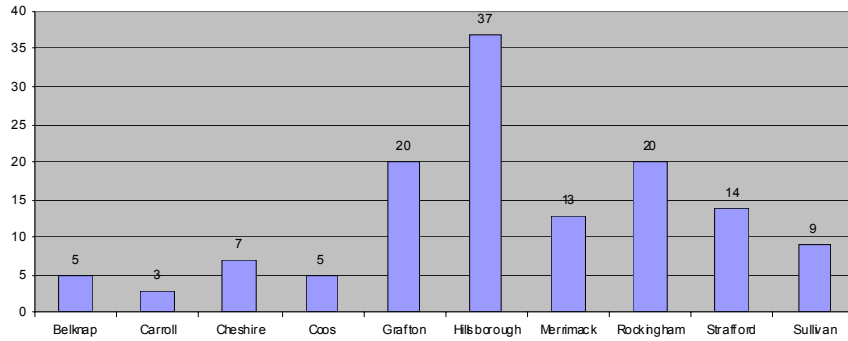
Total Homicides County Where Homicide Occurred 1999 - 2003 (5 Years)



N=86

FIGURE 44

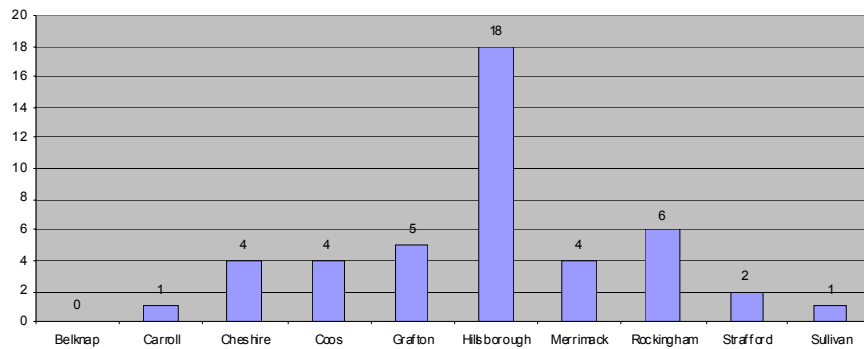
Total Domestic Violence Homicides
 County Where Homicide Occurred
 1990 - 2003 (14 Years)



N=133

FIGURE 45

Total Domestic Violence Homicides
 County Where Homicide Occurred
 1999 - 2003 (5 Years)



N=45

FIGURE 46

Total and Domestic Violence Homicides
County Homicides Per 100K Population
1999 - 2003 (5 Years)

County	2002 Population	Total Homicides	Per 100K	DV Homicides	Per 100K
Belknap	58,378	0	0.0	0	0.0
Carroll	45,128	2	4.4	1	2.2
Cheshire	75,618	4	5.3	4	5.3
Coos	33,893	6	17.7	4	11.8
Grafton	84,047	9	10.7	5	5.9
Hillsborough	391,660	33	8.4	18	4.6
Merrimack	140,947	8	5.7	4	2.8
Rockingham	287,960	12	4.2	6	2.1
Strafford	116,086	6	5.2	2	1.7
Sullivan	41,283	2	4.8	1	2.4
Unknown	---	4	---	0	---
Total	1,275,000	86	6.7	45	3.5

FIGURE 47

Figures 48, 49, 50 and 51 look at the location where the homicides occurred. Figures 48 and 49 provide information concerning all homicides. Of the known locations, it appears that the victim's residence and the shared residence are the most likely locations for all homicides. In looking at Figures 50 and 51, the shared residence is even more significant, having a much higher rate for domestic violence homicides than all homicides together. The category "other" contains miscellaneous locations, none of which could be easily categorized.

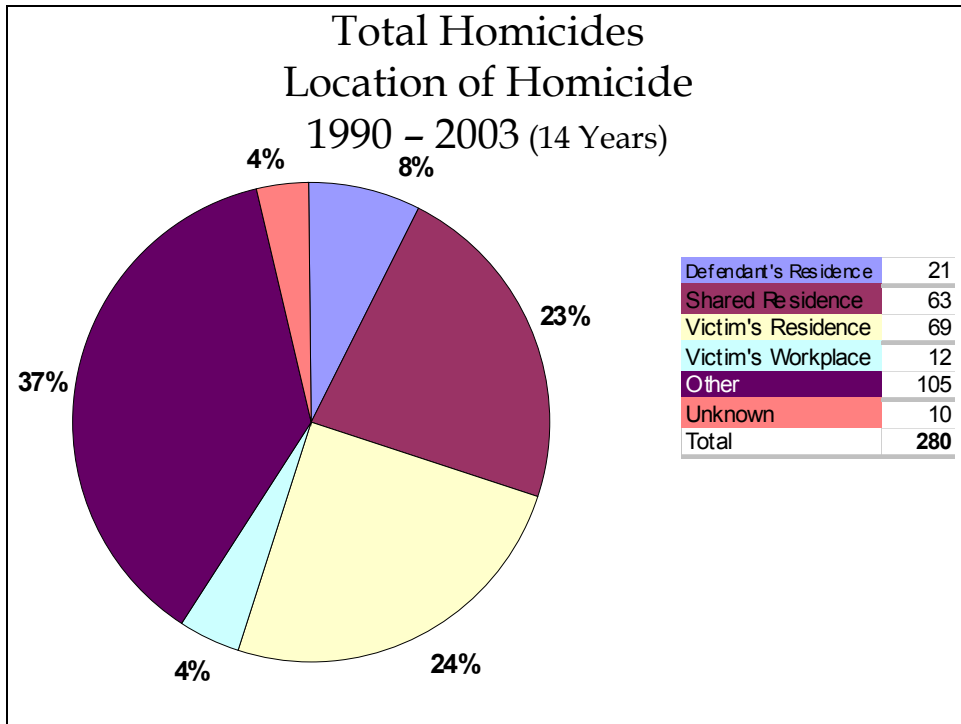


FIGURE 48

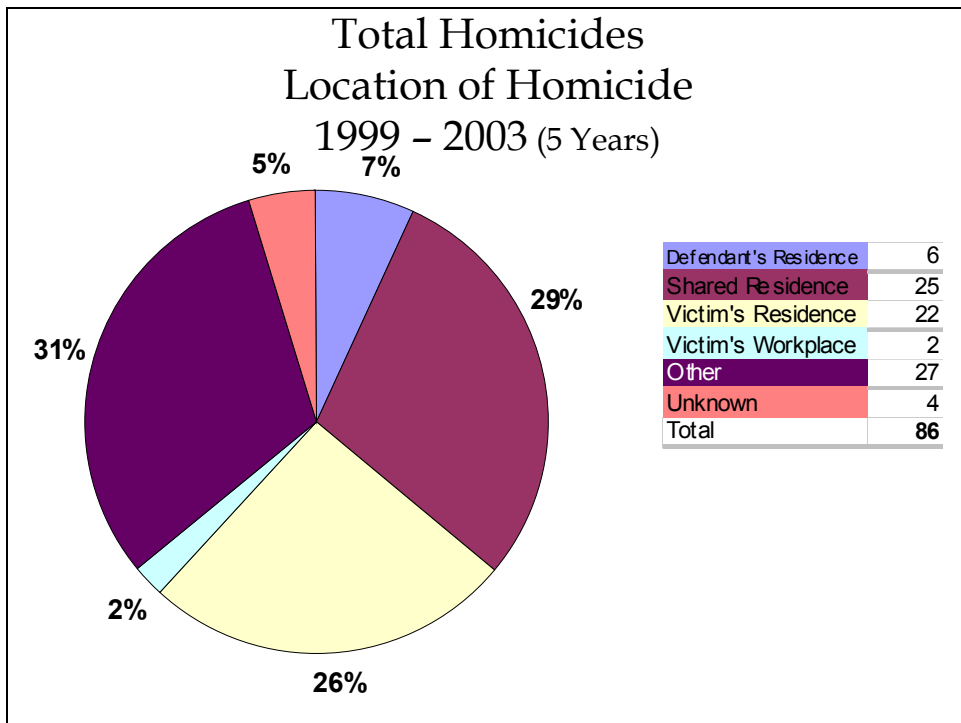


FIGURE 49

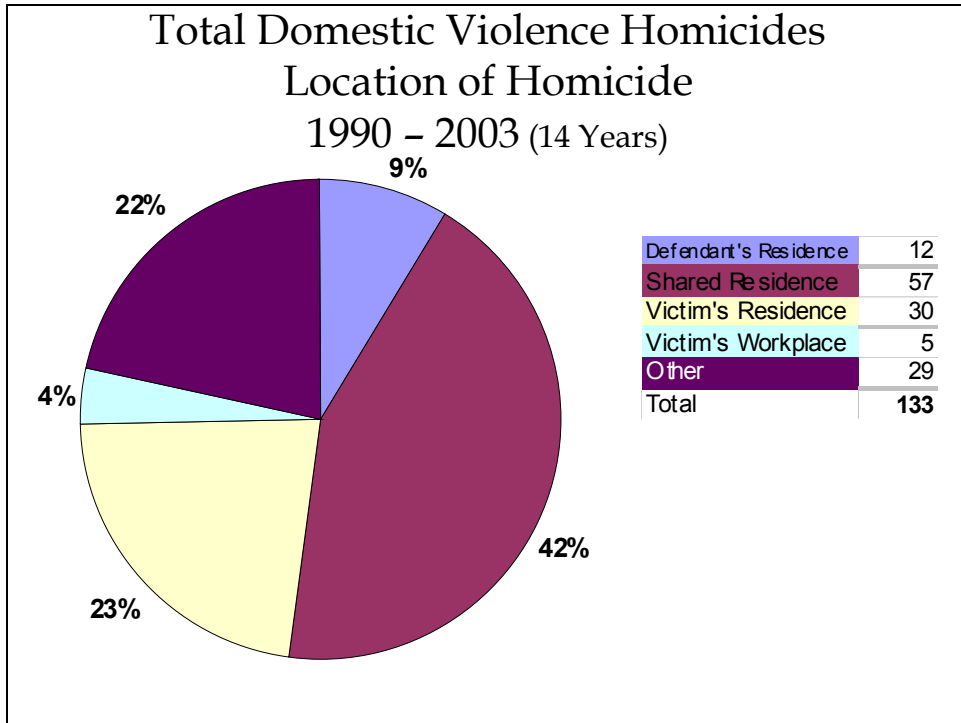


FIGURE 50

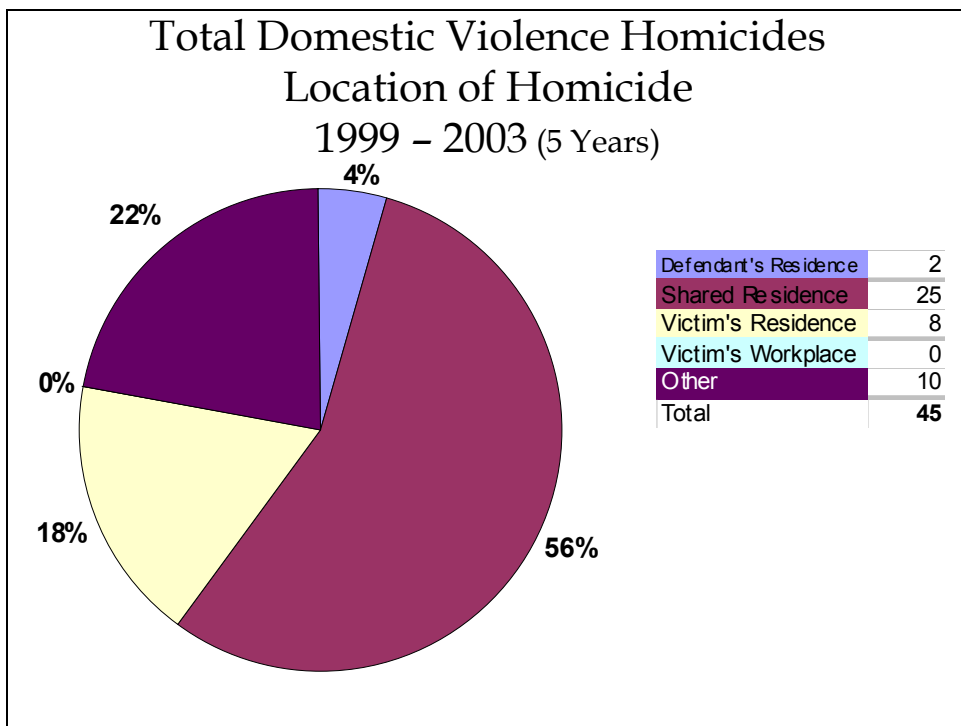


FIGURE 51

The next series of figures provide more information concerning the relationship of perpetrators to victims for total homicides (Figures 52 and 53) and for domestic violence homicides (Figures 54 and 55). For all homicides, the most common relationship is acquaintance, whereas for domestic violence homicides, it is household member, married person and child.

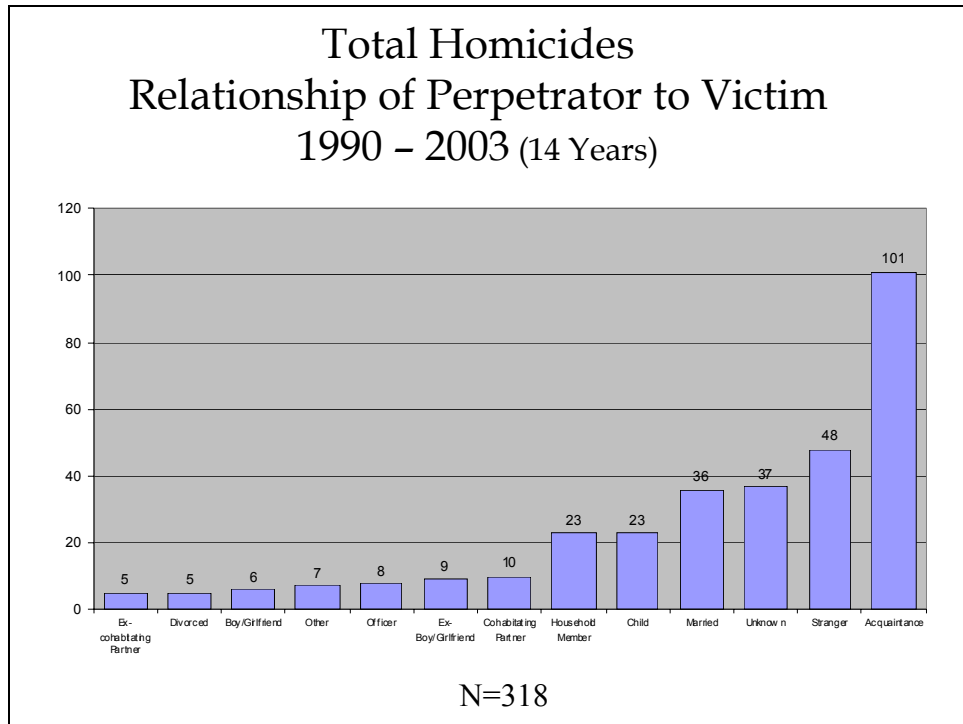


FIGURE 52

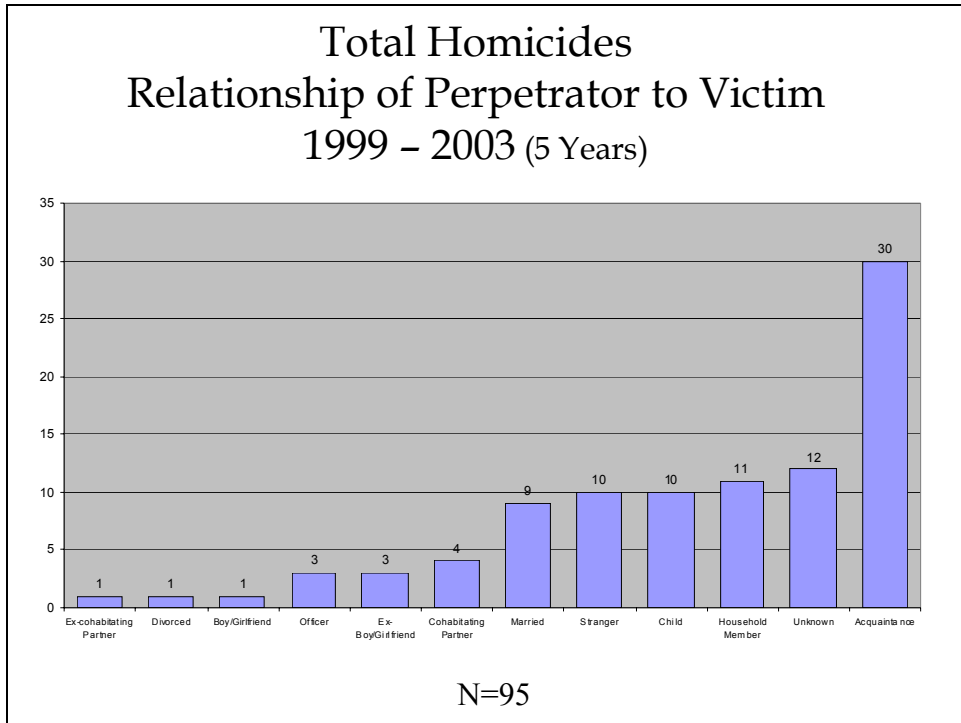


FIGURE 53

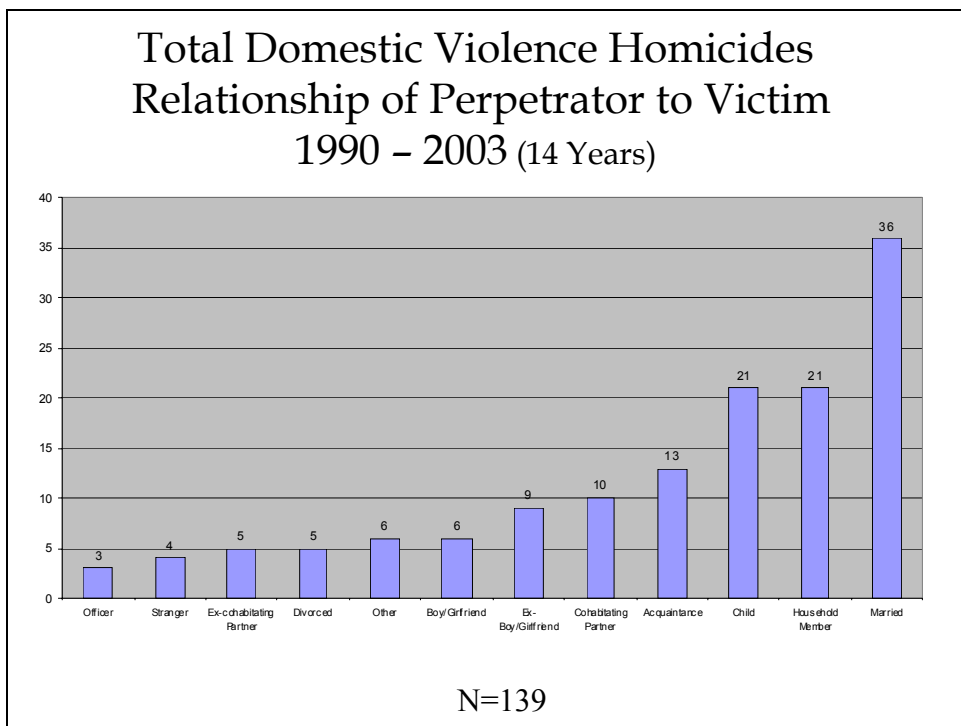
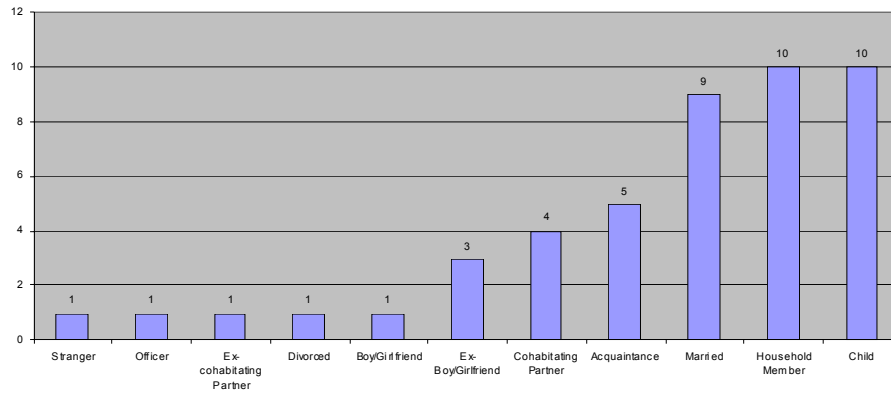


FIGURE 54

Total Domestic Violence Homicides Relationship of Perpetrator to Victim 1999 – 2003 (5 Years)



N=46

FIGURE 55

The Committee was interested to know whether there had been previous documented domestic violence between the victims and perpetrators. Figure 56 shows that over the past five years, there has been a history of domestic violence between the couples in 40% of the cases, while not in 51%. However, it should be noted that there were some cases where this information could not be verified. Thus, the figure also reflects 9% unknown.

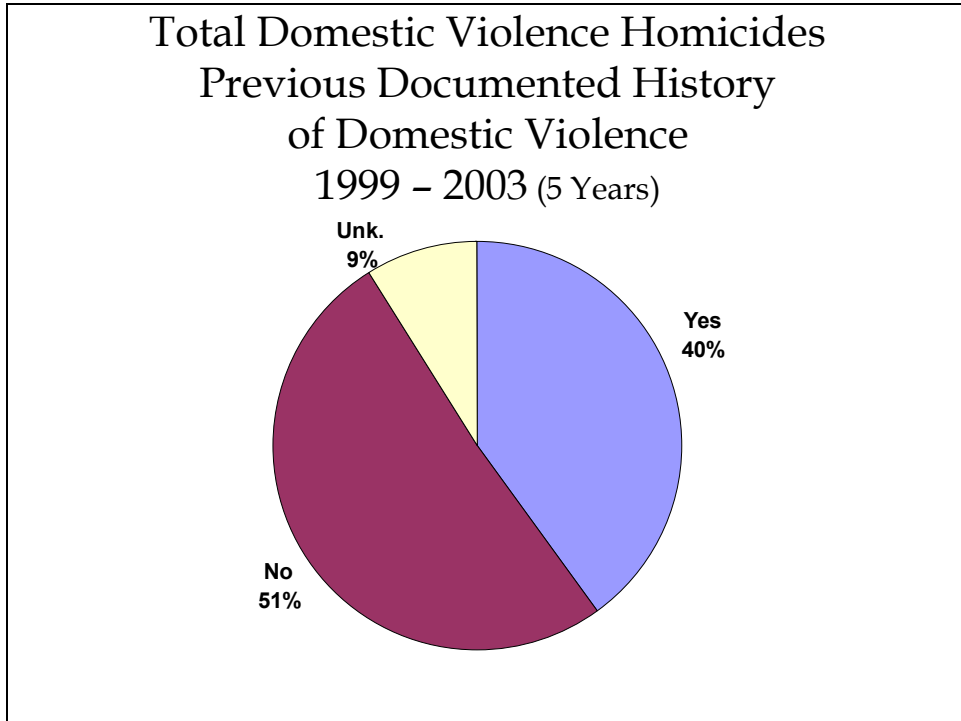


FIGURE 56

The Committee also wanted to know whether, for victims and perpetrators, either had had a previous history of domestic violence with past (i.e., different) partners. Figure 57 reflects that for cases within the past five years, 24% of the perpetrators had a previous history of domestic violence with past partners, while only 10% of the victims did. Again, however, data are missing for a number of cases. Thus the reader is cautioned not to make conclusions based upon this information.

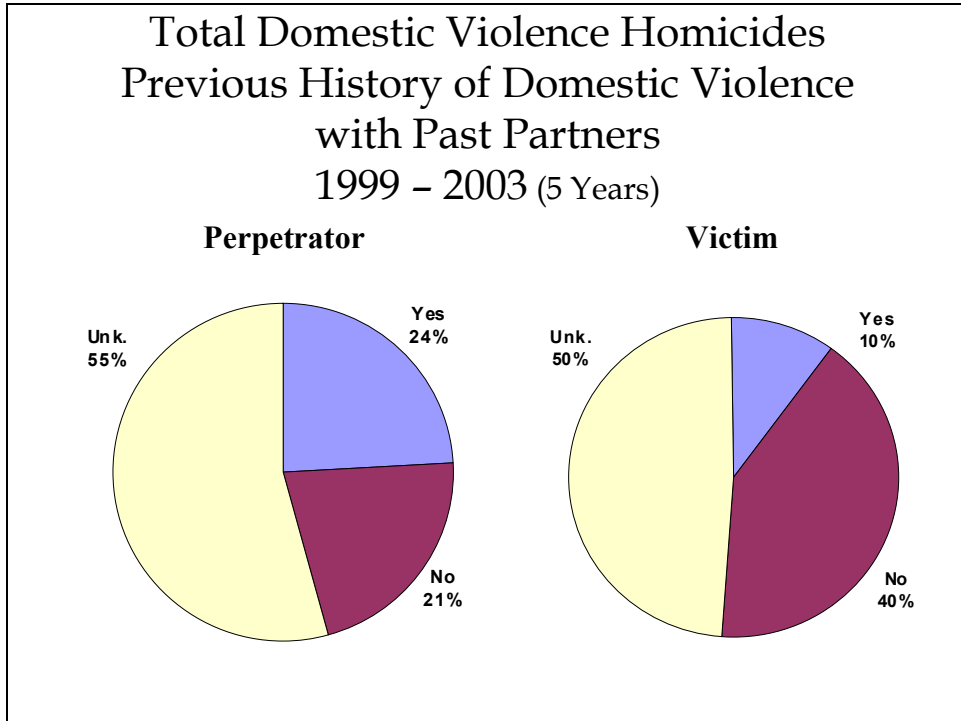


FIGURE 57

Figures 58 and 59 address whether any civil protection orders were in existence at the time of the homicide. Although we do not have information about a large number of cases, Figure 58 shows that 9% of the perpetrators had protection orders against them at the time they killed their victims. The figure also shows that one victim had a protection order against him. This case involved a situation where an individual killed his partner and then was killed by the police. Thus he was both a perpetrator and a victim for purposes of these statistics. Figure 59 shows the same information for the most recent five years. Although the chart shows a slightly higher percentage of protective orders issued against perpetrators, the “yes” category still refers to the sole incident described above.

Total Domestic Violence Homicides
 Protective Order at Time of Homicide
 1990 - 2003 (14 Years)

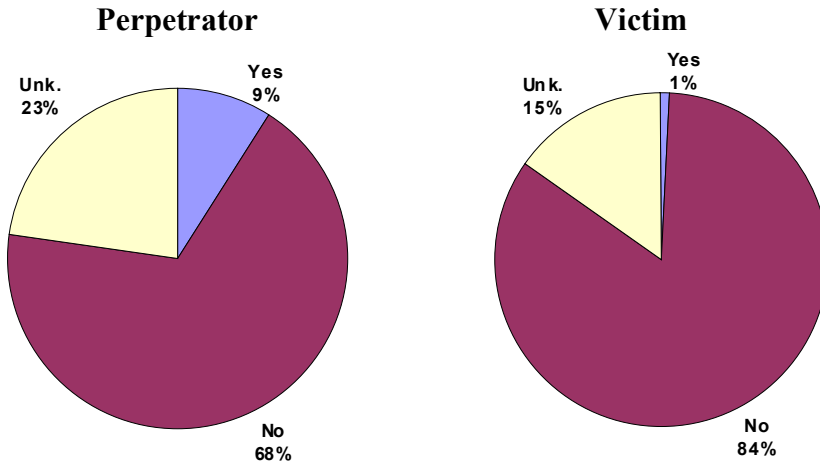


FIGURE 58

Total Domestic Violence Homicides
 Protective Order at Time of Homicide
 1999 - 2003 (5 Years)

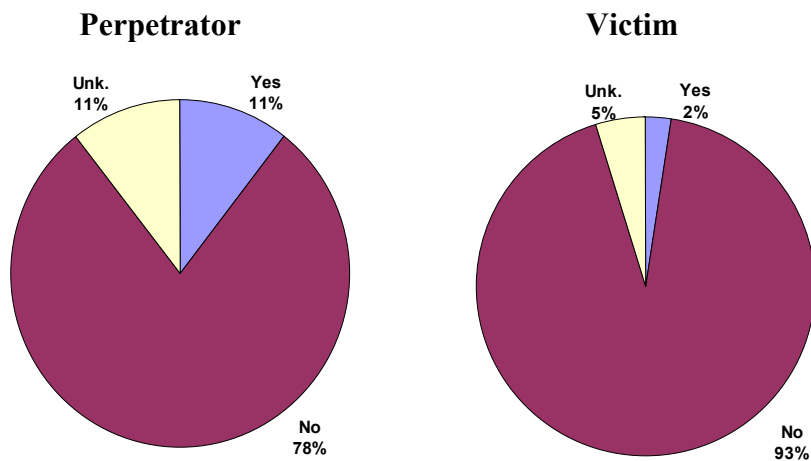


FIGURE 59

Figures 60 and 61 provide information about the correlation between homicides and suicides committed within the context of domestic violence homicides. As shown on Figure 60, of all domestic violence homicides, 76% of the homicides involve a homicide only. In 24% of the cases, the perpetrator not only commits homicide but then commits suicide. Of these perpetrators, 97% are male and 3% female.

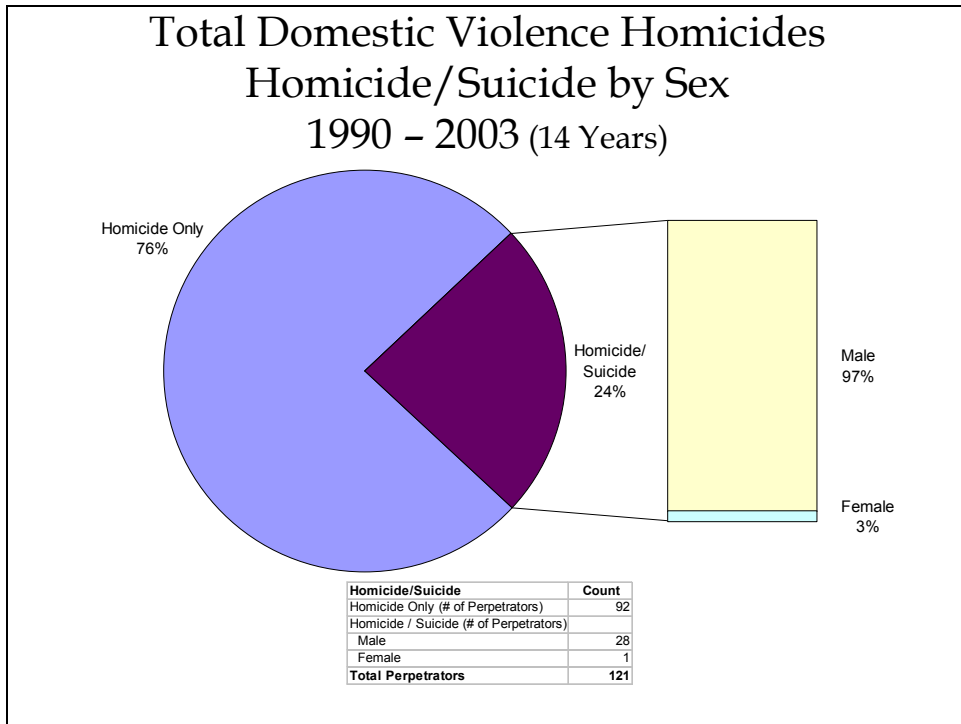


FIGURE 60

Figure 61 reflects the most recent five-year timeframe. The figures are fairly consistent with the exception that of the perpetrators who commit homicide and suicide, there is a slight increase in the percentage of female perpetrators. Note, however, that the number of female perpetrators remains the same. The increase in percentage is due to the fewer number of male perpetrators committing homicide and suicide (nine for the most recent five years as opposed to 28 for the 14 years).

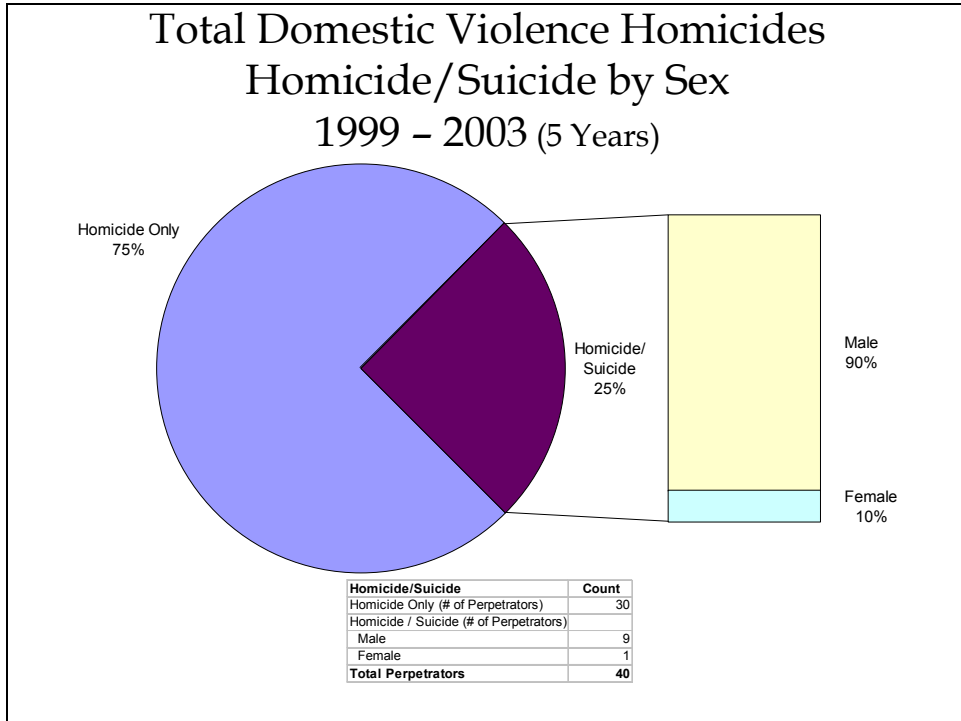
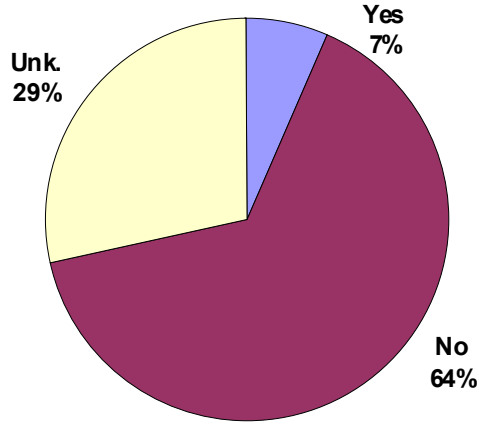


FIGURE 61

Finally, Figures 62 and 63 provide information about the frequency with which victims of domestic violence homicides were involved with a crisis center prior to the time of their death. Although we do not have information for all homicide victims, we do know that for the 14-year period of time, 9% of the known victims had contact with a crisis center, and in the most recent five years, 13% of the victims had contact with a crisis center (of those cases where the information is known).

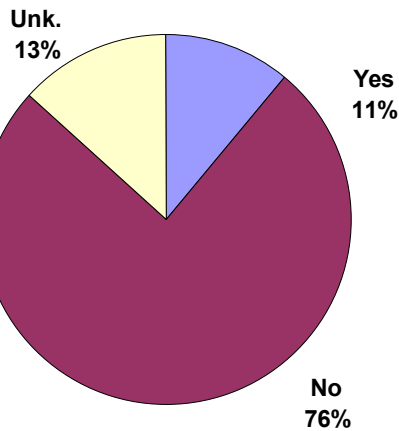
Total Domestic Violence Homicides
Victims Involved with Crisis Center
1990 - 2003 (14 Years)



Crisis Center Involved	Count
Yes	9
No	86
Unknown	38
Total	133

FIGURE 62

Total Domestic Violence Homicides
Victims Involved with Crisis Center
1999 - 2003 (5 Years)



Crisis Center Involved	Count
Yes	5
No	34
Unknown	6
Total	45

FIGURE 63

XI. CONCLUSION

The New Hampshire Domestic Violence Fatality Review Committee may not be the solution to preventing domestic violence but is one very important resource. The work of the Committee over the past five years represents one more significant effort to bring multiple community organizations together to prevent unnecessary fatalities and to promote safety for all New Hampshire citizens. The Committee stands for the proposition that domestic violence is a community problem which requires multi-disciplinary community intervention.

The Committee continues to be gratified by the reception to the recommendations contained in the reports. Many organizations and individuals have taken great strides to improve our collective, systemic response to domestic violence. The Committee hopes that the recommendations contained in this report will likewise have a positive impact on the safety and well-being of all our citizens.

*State of New Hampshire
By Her Excellency
Jeanne Shaheen, Governor*

A Proclamation

EXECUTIVE ORDER 99-5

An order establishing a New Hampshire Domestic Violence Fatality Review Committee under the Governor's Commission on Domestic and Sexual Violence

WHEREAS, as Governor I have a deep commitment to improving services to victims of domestic violence; and

WHEREAS, the Commission on Domestic and Sexual Violence has recommended that efforts be made to address the issue of domestic violence-related fatalities; and

WHEREAS, the formation of a standing team composed of representatives of state agencies and relevant professional fields of practice will establish a useful repository of knowledge regarding domestic violence-related deaths; and

WHEREAS, in order to ensure that New Hampshire can provide a continuing response to domestic violence fatalities, the Fatality Review Committee must receive access to all existing records on each domestic violence-related fatality. The records may include social service reports, court documents, police records, medical examiner and autopsy reports, mental health records, domestic violence shelter and intervention resources, hospital and medical-related data, and any other information that may have a bearing on the victim, family and perpetrator; and

WHEREAS, the comprehensive review of such domestic violence-related fatalities by a New Hampshire Domestic Violence Fatality Review Committee will result in recommendations for intervention and prevention strategies with a goal of improving victim safety; and

WHEREAS, the New Hampshire Domestic Violence Fatality Review Committee will enhance our effort to provide comprehensive services for victims of domestic violence throughout the State of New Hampshire;

NOW, THEREFORE, I, Jeanne Shaheen, Governor of the State of New Hampshire by virtue of the authority vested in me pursuant to Part II, Article 41 of the New Hampshire Constitution, do hereby establish a multi-disciplinary Domestic Violence Fatality Review Committee. The objectives of this committee shall be:

1. To describe trends and patterns of domestic violence-related fatalities in New Hampshire.
2. To identify high risk factors, current practices, gaps in systemic responses, and barriers to safety in domestic violence situations.
3. To educate the public, policy makers and funders about fatalities due to domestic violence and about strategies for intervention.
4. To recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.
5. To improve the sources of domestic violence data collection by developing systems to share information between agencies and offices that work with domestic violence victims.
6. To more effectively facilitate the prevention of domestic violence fatalities through multi-disciplinary collaboration.

Given under my hand and seal at the Executive Chambers in Concord, this sixteenth day of July in the year of our Lord, one thousand nine hundred and ninety-nine.


Jeanne Shaheen
Governor of New Hampshire



APPENDIX B

**NEW HAMPSHIRE GOVERNOR'S COMMISSION ON
DOMESTIC AND SEXUAL VIOLENCE**

DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE

**CONFIDENTIALITY AGREEMENT FOR
THE NEW HAMPSHIRE DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE**

The purpose of the New Hampshire Domestic Violence Fatality Review Committee is to conduct a full examination of domestic violence fatalities. To ensure a coordinated response that fully addresses all systemic concerns surrounding domestic violence fatalities, the New Hampshire Domestic Violence Fatality Review Committee must have access to all existing records on each case. This includes, but is not limited to, social service reports, court documents, police records, medical examiner and autopsy records, mental health records, domestic violence shelter and intervention resources, hospital and medical related data, and any other information that may have a bearing on the involved victim, family and perpetrator.

With this purpose in mind, I, the undersigned, as a representative of _____ agree that all information secured in this review will remain confidential and will not be used for reasons other than those which were intended by the creation of this Committee. No material will be taken from the meeting with case identifying information.

Print Name _____

Authorized Signature _____

Witness _____

Date _____

Appendix C here

APPENDIX D

NEW HAMPSHIRE GOVERNOR'S COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE

DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE

PROTOCOL

1. The Fatality Review Team will operate under the auspices of the Governor's Commission on Domestic and Sexual Violence.
2. The Committee will review all deaths of domestic violence victims in New Hampshire from 1990 forward.
3. Domestic violence victims will be identified as guided by the relationship criteria specified under New Hampshire RSA 173-B.
4. Comprehensive, multi-disciplinary review of any specific cases can be initiated by any member of the New Hampshire Fatality Review Team or any individual or agency request presented to a member of the team.
5. An executive committee of the Fatality Review Team shall screen cases to be submitted for full case review. This committee shall coordinate invitations to participate in the review, and shall request that all relevant case materials be accumulated by the committee or other designated members of the Fatality Review Team for distribution.
6. The Fatality Review Team will convene as needed, with the expectation that it shall meet bi-monthly.
7. Each team member shall serve a minimum two year term. The member shall select an alternate member from their discipline and will ensure that the member or the alternate will be present at every meeting of the Fatality Review Team.
8. All team members, including alternates, shall be required to sign a Confidentiality Agreement. Furthermore, Confidentiality Agreements will be required of any individual(s) participating in any domestic violence fatality review.

9. The team will provide periodic reports of its findings and recommendations to the Governor and other relevant agencies and individuals.

10. The following agencies and offices shall be represented on the Fatality Review Team: corrections; law enforcement; judiciary; clergy; mental health (administration and practitioner); medical examiner; ER services; education; prosecution; victim services; drug/alcohol; EAP; DCYF; DOVE; and others as needed.

