

**Montgomery County
Domestic Violence Death Review Committee**

**Report No. Six
Data Summary and Recommendations**

April 2009

I. Introduction

The burgeoning development of domestic violence fatality review committees across the country is in response to the recognition that many domestic violence fatalities could be preventable deaths. “A preventable death is one in which, with retrospective analysis, it is determined that a reasonable intervention (e.g., medical, social, legal, psychological) might have prevented the death” (Colorado Child Fatality Review Commission Annual Report and Conference Proceedings, p. 15, 1991). This philosophy is a dramatic shift from historical perspectives that incidents of domestic violence are acts of spontaneous rage and passion. It is the belief of the Montgomery County Death Review Committee that there are lessons to be learned by reviewing these homicides, and that implementation of the recommendations included herein could reduce domestic violence deaths in this community.

The Montgomery County Domestic Violence Death Review Committee is comprised of professionals from the criminal justice, health care, victim services, children’s services and batterer intervention fields. The goal of the committee is to prevent domestic violence fatalities by examining the circumstances of local domestic violence-related homicides, by making recommendations arising out of these case reviews and by increasing coordination and communication between agencies and systems.

The members of the Death Review Committee are experts in their fields. The goal of the Committee’s review and findings is not to present a scientifically valid statistical analysis, but to draw upon the members’ combined experience and expertise to identify trends and procedures for best practices in domestic violence cases.

Membership:

The Domestic Violence Review Committee is currently comprised of representatives from the following agencies: Montgomery County Coroner (Chairperson), Kettering Municipal Court, Dayton Police Department, Miami Valley Regional Crime Laboratory, YWCA Shelter & Housing Network, Montgomery County Children Services, Montgomery County Health Care Task Force on Domestic Violence, Montgomery County Association of Chiefs of Police, Montgomery County Common Pleas Court, Montgomery County Prosecutor’s Office, Artemis Center, City of Dayton Prosecutor’s Office, City of Dayton Probation Department, and Montgomery County Family Violence Collaborative.

The following agencies have been represented on the Committee in the past: Vandalia Municipal Court, Montgomery County Domestic Relations Court, Montgomery County Sheriff’s Office and Wright State University PATH Program.

II. Definitions

The Committee reviews homicides committed by intimate partners and former intimate partners. Only those cases prosecuted as homicides, or ruled as a homicide/suicide by the Montgomery County Coroner are reviewed. However, case reviews are not conducted until after all legal action has ceased. The Committee does not review cases while criminal or civil litigation is pending.

Throughout this report reference is made to the *documented* history of domestic violence in these homicide cases. In this report, *documented* is defined as any physical embodiment of information or ideas, e.g. police reports, hospital records, letters, witnesses comments noted in prosecutors' or investigators' files, etc. It should be noted that domestic violence is one of the most under-reported crimes. The lack of *documented* domestic violence history in a given case does not imply that *no* history is present.

III. Overview of Data

To date, the Committee has reviewed 48 cases of intimate partner homicide occurring between 1995 and 2008. These 48 cases included 12 homicide-suicides, bringing the total deaths to 60. It is important to note that the number of homicide/suicide cases reviewed by the Committee may appear disproportionate to the number of homicides. Typically after a homicide/suicide there is no legal action in the criminal and civil courts, so these cases become ripe for review more quickly than do most homicides, which must work their way through the courts before the Committee can review them.

In addition to the victims and perpetrators counted here-in, 3 people sustained life-threatening injuries in the act of the homicide, including a friend, a child and a sibling of the homicide victims.

A. Risk Factors

Nationwide, communities are searching for predictors of homicide. While there is a growing consensus on what indicators could signify dangerousness, there are no sure signals that a given perpetrator could escalate to committing homicide.

Six factors have emerged as significant common denominators in the 48 homicides reviewed by the Committee: 1) history of domestic violence in the relationship; 2) history of drug and alcohol abuse; 3) history of criminal activity; 4) access to weapons; 5) multiple police runs to the residence; and 6) the presence of a child fathered by someone else in the female's household. In this report, the lethality indicators have been analyzed in several ways: 1) in aggregate form, 2) broken out by category of homicide, and 3) lethality indicators were analyzed for male victims of female perpetrated homicide.

Aggregate Lethality Assessment Analysis

The case review process has evolved over time. Lethality assessments were added to the case review process after some of the early case reviews were conducted. Since then, the Committee has conducted lethality assessments based on the information available in 38 cases. In some cases, it is likely the Committee was unaware of the presence of additional lethality indicators.

Frequency of Lethality Indicators Present		
<u>Lethality Indicator</u>	Data for All Males Including Victims	Data for All Perpetrators Including Females
Documented History of Domestic Violence	36	29
Drug/Alcohol Abuse	35	30
History of Criminal Activity	30	30
Had Access to Weapons	24	26
Prior DV Arrests/Convictions	24	21
More Than One Police Run	22	21
Children by Another Partner in Home	22	20
Repeated or Escalated Violence	22	19
Threats to Kill	22	15
Female Was Attempting to Separate	22	22
Ownership - Sees Partner as Property	20	19
History of Assaults on Others	19	18
Obsessive Behavior (following, monitoring, substantiated telephone harassment)	16	15
Use of Weapons	14	15
Property Damage Intended to Intimidate/Control	14	12
Violence or Threats in Public	14	12
Depression	13	13
Threats with Weapons	13	12
Homicidal/Suicidal Threats	11	10
Strangled/Choked Their Partner	11	9
Pending Criminal Charges	10	12
Threats to/Harassment of Partner's Family/Friends	10	9
Ignores Police/Court/Probation Orders	9	10
Sexual Assault/Abuse	9	5
Had Inflicted Serious Injury	8	9
Any Other Unusual or Concerning Behavior Reported by Female	8	8
Stalking Behavior	8	7
Weapons Training	8	7
Prior Treatment for DV	7	7

Frequency of Lethality Indicators Present (Cont.)

<u>Lethality Indicator</u>	<u>Data for All Males Including Victims</u>	<u>Data for All Perpetrators Including Females</u>
Isolated Their Partner (Social/Physical/Financial)	7	5
Violence in Presence of Children	7	4
Child Abuse	6	5
Forcible Entry to Gain Access to Partner	6	5
Perpetrator Interfered with Partner's Access to Emergency Services (i.e. Pulled phone from wall)	5	5
Prior Violation of Protection/Restraining Orders	5	5
Sadistic/Terrorist/Hostage Acts	5	2
Violence During Pregnancy	3	2
Threats of Sexual Assault/Abuse	2	2
Abuse of Animals	1	1
Threats to Abduct Child	1	1
Threats of Abuse of Animals	1	1

Number of Cases Where Lethality Was Assessed	38
Highest Number of Lethality Factors Present	29
Lowest Number of Lethality Factors Present	1**
Average Number of Lethality Factors Present	11

*In the 38 cases where Lethality Assessments were conducted only 3 offenders received prior treatment for domestic violence. However, out of the 48 cases reviewed by the Committee a total of 8 perpetrators were ordered into batterer intervention prior to the homicide. One of the 8 perpetrators had not completed batterer intervention when he killed his partner and then himself, and 1 perpetrator was on probation waiting to start a batterer intervention program when he killed his partner.

**There was 1 case where a lethality assessment was included in the case review, and the Committee found only 1 lethality indicator – job loss.

Most Common Lethality Indicators in All Categories

The lethality indicators that were most common in all categories are broken out below.

Documented History of Domestic Violence

A documented history of domestic violence on the part of the male was a significant indicator in all 3 categories of DV-related homicide.

- 19 (76%) of 25 male perpetrators had a documented history of domestic violence.
- 8 (67%) of 12 male perpetrators of homicide/suicide had a documented history of domestic violence.
- 9 (82%) of 11 male victims of female perpetrated homicide had a documented history of domestic violence
- Only 2 (18%) of 11 female perpetrators had a documented history of domestic violence. In both cases, their deceased partners had a documented history of domestic violence.

Drug/Alcohol Abuse

Drug/Alcohol abuse was a significant indicator in all 3 categories of DV-related homicide.

- 15 (60%) of 25 male perpetrators had a history of drug/alcohol abuse.
- 10 (83%) of 12 male perpetrators of homicide/suicide had a history of drug/alcohol abuse.
- 5 (45%) of 11 female perpetrators had a history of drug/alcohol abuse.
- 10 (91%) of 11 male victims of female perpetrators had a history of drug/alcohol abuse

History of Criminal Activity

History of criminal activity was a significant indicator in all 3 categories of DV-related homicide.

- 16 (64%) of 25 male perpetrators had a history of criminal activity.
- 7 (58%) of 12 male perpetrators of homicide/suicide had a history of criminal activity
- 7 (64%) of 11 female perpetrators had a history of criminal activity
- 7 (64%) of 11 male victims of female perpetrated homicide had a history of criminal activity.

Threats to Kill

A significant number of males in all 3 categories threatened to kill their partners before the fatal incident occurred.

- 10 (40%) of 25 male perpetrators of femicide made prior threats to kill.
- 5 (42%) of 12 male perpetrators of homicide/suicide made prior threats to kill.
- 7 (64%) of 11 male victims of female perpetrated homicide had threatened to kill their partner.
- None (0%) of the 11 female perpetrators made prior threats to kill, to our knowledge.

Significant Differences between the Categories

Comparisons of the more prevalent lethality indicators for the three categories of domestic violence-related homicide (male perpetrated femicide, male perpetrated homicide/suicide, and female perpetrated homicide) are provided below.

Access to Weapons

Perpetrators' access to weapons was a significant indicator in male perpetrated femicide and male perpetrated homicide/suicide.

- 13 (52%) of 25 male perpetrators of femicide had access to weapons.
- 9 (75%) of 12 male perpetrators of homicide/suicide had access to weapons.
- 4 (36%) of 11 female perpetrators had access to weapons.
- To our knowledge, only 2 (18%) of 11 male victims of female perpetrated homicide had access to weapons.

Prior DV Arrests/Convictions

Male perpetrators of femicide and homicide/suicide and male victims of female perpetrated homicide were far more likely to have prior domestic violence related arrests and convictions than female perpetrators of homicide.

- 11 (44%) of 25 male perpetrators of femicide had prior DV arrests/convictions
- 8 (67%) of 12 male perpetrators of homicide/suicide had prior DV arrests/convictions
- 2 (18%) of 11 female perpetrators of homicide had a prior DV arrest/conviction
- 5 (45%) of 11 male victims of female perpetrated homicide had prior DV arrests/convictions

Children by Another Partner

The presence of children fathered by another partner was a significant indicator, particularly in cases of male perpetrated femicide and homicide/suicide.

- In 13 (52%) of 25 cases of male perpetrated femicide, the female had at least one child by another partner.
- In 5 (42%) of 12 homicide/suicides, the female had at least one child by another partner.
- In 2 (18%) of 11 cases of female perpetrated homicide, the male victim had at least one child by another partner. However, 4 (36%) of the female perpetrators had at least one child by another partner.

Repeated and/or Escalating Violence

Repeated and/or escalating violence was a significant indicator in male perpetrated femicide and male perpetrated homicide/suicide.

- 12 (48%) of 25 perpetrators of femicide engaged in a pattern of repeated and/or escalating violence before the homicide.
- 6 (50%) of 12 perpetrators of homicide/suicide engaged in a pattern of repeated and/or escalating violence before the fatal event.
- To our knowledge 1 (9%) of the 11 female perpetrators of homicide engaged in a pattern of repeated or escalating violence. However, 4 (36%) of 11 male victims of female perpetrated homicide engaged in repeated and/or escalating violence before he was killed.

History of Assaults on Others

Male perpetrators of femicide and homicide/suicide were more likely to have a history of assaults on others than female perpetrators of homicide or their victims.

- 11 (44%) of 25 male perpetrators of femicide had a history of assaults on others.
- 5 (42%) of 12 male perpetrators of homicide/suicide had a history of assaults on others.
- 2 (18%) of 11 female perpetrators of homicide had a history of assaults on others.
- 3 (27%) of 11 male victims of female perpetrated homicide had a history of assaults on others.

Separation Danger

Separation danger was a significant indicator in male perpetrated femicide.

- 18 (72%) of 25 victims of male perpetrated femicide had recently left the relationship or were attempting to leave the relationship when their partners killed them.
- In cases of homicide/suicide, 3 (25%) of 12 victims had recently left or attempted to leave the relationship when their partners killed them.
- In cases of female perpetrated homicide, 1 (9%) of the perpetrators had recently left or attempted to leave the relationship at the time of the homicide.

Obsessive Behavior

Male perpetrators of femicide were more likely to engage in obsessive behavior, such as following, monitoring or telephone harassment.

- 13 (52%) of 25 male perpetrators of femicide engaged in obsessive behavior.
- 2 (17%) of 12 male perpetrators of homicide/suicide engaged in obsessive behavior.
- None (0%) of the 11 female perpetrators of homicide engaged in obsessive behavior, and only 1 (9%) of the 11 male victims of female perpetrated homicide engaged in such behavior.

Depression

Depression was more common among male perpetrators of homicide/suicide than among the other perpetrators.

- 5 (42%) out of 12 homicide/suicide perpetrators had either been diagnosed with depression or another form of mental illness or had recently experienced a major life stressor such as a job loss or loss of a loved one.
- 8 (32%) of 25 perpetrators of femicide had either been diagnosed with depression or another form of mental illness or had recently experienced a major life stressor.
- To our knowledge, none (0%) of the female homicide perpetrators or their male victims had been diagnosed with depression or another form of mental illness or had recently experienced a major life stressor.

Sadistic, Hostage-Taking, or Terrorist Acts

The total number of males who engaged in sadistic, hostage-taking, or terrorist acts was small (5).

- 3 (27%) of 11 male victims of female perpetrated homicide engaged in such behavior.
- 2 (17%) of 12 male perpetrators of homicide/suicide engaged in such behavior at some point.
- None (0%) of the male perpetrators of femicide and none (0%) of the female perpetrators of homicide engaged in sadistic, hostage-taking, or terrorist acts to our knowledge.

Profiles of the three categories of domestic violence-related homicide and additional information about the lethality indicators for each of the three categories are provided in the following section.

B. Profiles of Different Categories of Homicides

The overall number of cases (48) is large enough to reveal differences between male perpetrated femicide, male perpetrated homicide/suicides, and female perpetrated homicides. The following profiles of these categories emerged:

Male Perpetrated Femicide

In 25 (52%) of the 48 cases reviewed by the Committee, male perpetrators killed female victims but did not kill themselves. In most (88%) of these cases, the perpetrator and the victim were of the same racial/ethnic identity. In 10 (40%) cases, both perpetrator and victim were Caucasian. In 12 (48%) cases, both perpetrator and victim were African American.

The average age of the male perpetrators was 40 years, and the average age of the female victims was 36 years. Nineteen (76%) of the 25 male perpetrators were either the same age (in 3 cases) or older (in 16 cases) than their victims. Of the 16 cases where the perpetrators were older than the victims, the age differential was an average of 7 years.

The majority (68%) of the 25 couples had never been married to each other, and 60% of the couples were not sharing living quarters at the time of the homicide. Nine (36%) of the couples were either ex live-in partners (20%) or ex-spouses/in the process of divorcing (16%). Separation danger was a significant indicator in male perpetrated femicide. In 18 (72%) of the 25 couples, one of the parties was attempting to separate at the time of the homicide. Male perpetrators of femicide were more likely to engage in obsessive behavior, such as following, monitoring or telephone harassment. Thirteen (52%) of 25 male perpetrators of femicide engaged in obsessive behavior. The length of couples' relationships where male perpetrated femicide occurred averaged 7 years, but ranged from less than 1 year to 50 years.

Nineteen (76%) of the 25 perpetrators had a documented history of domestic violence. In at least 14 (56%) of the 25 cases, police had responded to either the perpetrator's or victim's residence on at least 1 occasion prior to the homicide. In at least 1 of those 14 cases, the calls had not been domestic-violence related. Four (16%) of the 25 perpetrators had been ordered by a court to attend batterer intervention. One of those 4 perpetrators was on probation awaiting entrance into a batterer intervention program when he killed his partner.

Nine (36%) of the 25 victims had some form of contact with victim advocacy services prior to their deaths. (For a breakdown of these contacts, see section L.)

The most common causes of death were firearms (40%) and stabbing (32%). However, male perpetrators of femicide resorted to a wider range of methods in killing their partners. They were the only perpetrators who killed their partners with blunt force (in at least 2 cases), by burning (1 case), or by drowning (1 case) them.

Male Perpetrated Femicide Lethality Assessment Analysis

The Committee conducted Lethality Assessments in 23 of the 25 cases of male perpetrated femicide based on the information available. It is likely the Committee was unaware of the presence of additional indicators of lethality in some cases.

Frequency of Lethality Indicators Present	
<u>Lethality Factor</u>	<u>No. of Cases</u>
Documented History of Domestic Violence	19
Female Was Attempting to Separate	18
History of Criminal Activity	16
Drug/Alcohol Abuse	15
Children by Another Partner in Home	13
Had Access to Weapons	13
Obsessive Behavior (following, monitoring, substantiated telephone harassment)	13
Ownership - Sees Partner as Property	13
Repeated or Escalated Violence	12
History of Assaults on Others	11
Prior DV Arrests/Convictions	11
Property Damage Intended to Intimidate/Control	10
Threats to Kill	10
More Than One Police Run	9
Pending Criminal Charges	9
Threats with Weapons	9
Use of Weapons	9
Depression	8
Homicidal/Suicidal Threats	8
Violence or Threats in Public	8
Ignores Police/Court/Probation Orders	7
Strangled/Choked Their Partner	7
Any Other Unusual or Concerning Behavior Reported by Female	6
Had Inflicted Serious Injury	6
Stalking Behavior	6
Isolated Their Partner (Social/Physical/Financial)	5
Prior Violation of Protection/Restraining Orders	5
Threats to/Harassment of Partner's Family/Friends	5
Weapons Training	5
Perpetrator Interfered with Partner's Access to Emergency Services (i.e. Pulled phone from wall)	4
Sexual Assault/Abuse	4

Frequency of Lethality Indicators Present (Cont.)

<u>Lethality Factor</u>	<u>No. of Cases</u>
Prior Treatment for DV	3*
Child Abuse	3
Forcible Entry to Gain Access to Partner	3
Violence in Presence of Children	3
Threats to Abduct Child	1
Threats of Abuse of Animals	1
Threats of Sexual Assault/Abuse	1
Violence During Pregnancy	1

*Four of the 25 males who killed their partners were ordered into batterer intervention. However, 1 of the 4 was on probation awaiting entrance into a batterer intervention program when he killed his partner.

Homicide/Suicide

Twelve (25%) of the 48 cases reviewed by the Committee were homicide/suicides. All (100%) of the perpetrators of homicide/suicide were male. In the majority of homicide/suicide cases both parties were Caucasian (67%). Both perpetrators (average age 43 years) and victims (average age 42 years) tended to be older than perpetrators and victims in male perpetrated femicides and female perpetrated homicides, and 50% of the female victims were older than their male perpetrators by an average of 3 years.

Eight (67%) homicide/suicides occurred in couples who were either married (25%) or living together (42%). In 3 (25%) of the 12 cases, the victim was attempting to separate at the time. The length of the couples' relationships tended to be longer (avg. 9 years) than the relationships of couples where male perpetrated femicide (avg. 7 years) and female perpetrated homicide (avg. 5 years) occurred. However, the length of relationships where Homicide/suicide occurred ranged from 2 – 37 years.

Eight (67%) of the 12 perpetrators had a documented history of domestic violence (not necessarily with the victim they eventually killed). In 11 (92%) of the 12 homicide/suicides police had responded on at least 1 prior occasion to one of the parties' residences. In at least 1 of those 11 cases, the police runs had not been domestic violence-related. In 1 of the 11 cases, police had responded to the perpetrator's home many years before, when he was married to someone else and living in another county. Four (33%) of the 12 perpetrators had attended batterer intervention. One of the 4 was in a batterer intervention group when he killed his partner and then himself.

Ten (83%) of the 12 victims did not have any contact with victim advocacy services. One victim received court outreach when she was victimized by a prior batterer but did not have subsequent contact with victim advocates while she was involved with the batterer who ultimately killed her. One victim received services via 2 hotline calls and follow up services 10 years before her husband killed her and then himself. Artemis Center received a referral for 1 victim, but was unable to contact her because they were not provided with a safe telephone number for the victim.

Depression was more common among male perpetrators of homicide/suicide than among the other perpetrators. Five (42%) out of 12 homicide/suicide perpetrators had either been diagnosed with depression or another form of mental illness or had recently experienced a major life stressor such as a job loss or loss of a loved one.

At the time of death 8 (67%) of the 12 perpetrators were under the influence of alcohol and 5 (42%) of them were also under the influence of drugs (ranging from marijuana, to cocaine, to prescription drugs). Five (42%) of the 12 victims were under the influence of alcohol and 4 (33%) of them were also under the influence of drugs (ranging from marijuana, to cocaine, to prescription drugs) at the time of death. Causes of death were firearms (83% of cases) and strangling (17% of cases).

Homicide/Suicide Lethality Assessment Analysis

The Committee conducted Lethality Assessments in 11 of the 12 homicide/suicide cases and pieced together information on the remaining case based on the information available. It is likely the Committee was unaware of the presence of additional indicators of lethality in some cases.

Frequency of Lethality Indicators Present	
<u>Lethality Factor</u>	<u>No. of Cases</u>
Drug/Alcohol Abuse	10
Had Access to Weapons	9
More Than One Police Run	9
Documented History of Domestic Violence	8
Prior DV Arrests/Convictions	8
History of Criminal Activity	7
Repeated or Escalated Violence	6
Children by Another Partner in Home	5
Depression	5
History of Assaults on Others	5
Ownership - Sees Partner as Property	5
Threats to Kill	5
Prior Treatment for DV	4*
Threats to/Harassment of Partner's Family/Friends	4
Use of Weapons	4
Violence or Threats in Public	4
Female Was Attempting to Separate	3
Threats with Weapons	3
Any Other Unusual or Concerning Behavior Reported by Female	2
Child Abuse	2
Forcible Entry to Gain Access to Partner	2
Had Inflicted Serious Injury	2
Homicidal/Suicidal Threats	2
Ignores Police/Court/Probation Orders	2
Obsessive Behavior (following, monitoring, substantiated telephone harassment)	2
Property Damage Intended to Intimidate/Control	2
Sadistic/Terrorist/Hostage Acts	2
Strangled/Choked Their Partner	2
Weapons Training	2
Abuse of Animals	1
Pending Criminal Charges	1

Frequency of Lethality Indicators Present (Cont.)

<u>Lethality Factor</u>	<u>No. of Cases</u>
Pending Criminal Charges	1
Perpetrator Interfered with Partner's Access to Emergency Services (i.e. Pulled phone from wall)	1
Sexual Assault/Abuse	1
Stalking Behavior	1
Threats of Sexual Assault/Abuse	1
Violence During Pregnancy	1

*Four of the 12 men who committed homicide/suicide were ordered into batterer intervention. Three of the 4 men completed the program. One of the men was in a batterer intervention program when he killed his wife and then himself.

Female Perpetrated Homicides

Eleven (23%) of the 48 homicides reviewed by the Committee were perpetrated by females. In all (100%) of the female perpetrated homicides the perpetrators and victims shared the same racial/ethnic identity. More than half (64%) of the couples were African American. Female perpetrators tended to be younger (average age 36 years) than male perpetrators of femicide (average age 40 years) and male perpetrators of homicide/suicide (average age 43 years). The average age of male victims was 40 years. Seven (64%) of the 11 female perpetrators were younger than their male victims by an average of 9 years.

Ten (91%) of the 11 couples involved in female perpetrated homicides were either married, living together, or had lived together at some point. Eight (73%) of these couples were either married (27%) or living together (45%) at the time. However, 8 (73%) of these couples were never married. Only 1 (9%) female perpetrated homicide involved a couple that had never married or lived together. The length of relationships where female perpetrated homicide occurred tended to be shorter (avg. 5 years) than relationships where male perpetrated femicide (avg. 7 years) and homicide/suicide (avg. 9 years) occurred. The length of relationships where female perpetrated homicide occurred ranged from about 1 year to 13 years.

One (9%) of the 11 female perpetrators was attempting separation at the time of the homicide, and none (0%) of the female perpetrators had been divorced from or were divorcing their victims. However, 3 (27%) of the 11 female perpetrators killed their partners after learning of their partners' infidelity. Causes of death were firearms (64%), stabbing (27%) and automobile (9%).

Female perpetrators were much less likely than male perpetrators to have histories of domestic violence arrests or convictions or assaults on others. Two (18%) of 11 female perpetrators had prior arrests or convictions for domestic violence, and 2 (18%) of 11 female perpetrators had a history of assaults on others. Yet, 11 (44%) of 25 male perpetrators of femicide and 5 (42%) of 12 male perpetrators of homicide/suicide had a history of assaults on others. Three (27%) of 11 male victims of female perpetrated homicide had a history of assaults on others.

In 9 (82%) of 11 cases of female perpetrated homicide, the male victim/decedents had a documented history of domestic violence. Eight (73%) of 11 female perpetrators were known to have been previously battered by the men they killed. Victim advocates attempted outreach to 5 (63%) of the 8 female perpetrators who were victims in prior domestic violence cases. Only 2 (40%) of the 5 female perpetrators followed up with victim services. (For a breakdown of these contacts, see section L.)

In 2 (18%) of 11 cases of female perpetrated homicide, the females had been perpetrators or alleged perpetrators of prior domestic violence-related offenses. Neither (0%) of the female homicide perpetrators had been ordered to attend the Women Who Resort to Violence group.

Female Perpetrated Homicide Lethality Assessment Analysis

The Committee conducted Lethality Assessments in 5 of the 11 cases of female perpetrated homicide and pieced together information on the remaining 6 cases based on the information available. It is likely the Committee was unaware of the presence of additional indicators of lethality in some cases. Below is a list of the female perpetrators' lethality indicators.

Frequency of Lethality Indicators Present – Female Perpetrators	
<u>Lethality Factor</u>	<u>No. of Cases</u>
History of Criminal Activity	7
Drug/Alcohol Abuse	5
Had Access to Weapons	4
More Than One Police Run	3
Children by Another Partner in Home	2
Documented History of Domestic Violence	2
History of Assaults on Others	2
Pending Criminal Charges	2
Use of Weapons	2
Prior DV Arrests/Convictions	2
Had Inflicted Serious Injury	1
Ignores Police/Court/Probation Orders	1
Ownership - Sees Partner as Property	1
Repeated or Escalated Violence	1
Previous Treatment for Domestic Violence	0*

*None of the women who killed their partners had been ordered into the Women Who Resort to Violence program.

Below is a list of lethality indicators for the male victims of female perpetrators of homicide.

Frequency of Lethality Indicators Present – Male Victims	
<u>Lethality Factor</u>	<u>No. of Cases</u>
Drug/Alcohol Abuse	10
Documented History of Domestic Violence	9
History of Criminal Activity	7
Threats to Kill	7
Prior DV Arrests/Convictions	5
Children by Another Partner in Home	4
More Than One Police Run	4
Repeated or Escalated Violence	4
Sexual Assault/Abuse	4
History of Assaults on Others	3
Sadistic/Terrorist/Hostage Acts	3
Violence in Presence of Children	3
Had Access to Weapons	2
Isolated Their Partner (Social/Physical/Financial)	2
Ownership - Sees Partner as Property	2
Property Damage Intended to Intimidate/Control	2
Strangled/Choked Their Partner	2
Violence or Threats in Public	2
Child Abuse	1
Forcible Entry to Gain Access to Partner	1
Homicidal/Suicidal Threats	1
Obsessive Behavior (following, monitoring, substantiated telephone harassment)	1
Stalking Behavior	1
Threats to/Harassment of Partner's Family/Friends	1
Threats with Weapons	1
Use of Weapons	1
Violence During Pregnancy	1
Weapons Training	1
Female Was Attempting to Leave	1
Previous Treatment for Domestic Violence	0*

*Although 9 of the male victims of female perpetrated homicide had a documented history of domestic violence, none of them had been ordered into batterer intervention.

C. Gender

Overall

All (100%) of the cases reviewed involved heterosexual relationships. Of victims, 37 (77%) were female and 11 (23%) were male. Conversely, of perpetrators, 11 (23%) were female, and 37 (77%) were male.

Homicide/Suicide Cases

In the 12 homicide/suicide cases all (100%) of the perpetrators were male. This is consistent with national data which indicates that the predominant majority of homicide/suicide acts are committed by men.

Female Homicide Perpetrators

Eight (73%) of the 11 female perpetrators were known to have been previously battered by the man they killed. Two female perpetrators had been charged with domestic violence-related offenses on more than one occasion prior to the homicide. Two other female perpetrators had been charged with previous violent crimes, but these offenses were not domestic violence-related. In 3 cases, there was no known history of any domestic violence, although 1 of the female perpetrators had experienced significant violent trauma perpetrated by someone else not long before the homicide.

D. Children

Twenty-eight (58%) of the 48 victims had children living in the home at the time of the homicide. In 18 (64%) of those 28 cases, children were present at the time of the incident. Of the 18 cases where children were on the scene, the children witnessed the incident 61% of the time. The level of involvement was relatively direct, with some children reportedly escaping through windows. Some attempted to intervene and were injured. A total of 68 dependent children lost at least one parent in these 48 homicide cases. (In addition, one victim had an adult child (age 18) living with her, and some of the victims had adult children who lived independently.)

Children By Another Partner

Children fathered by another partner emerged as a significant indicator of lethality, particularly in cases of male perpetrated femicide and homicide/suicide.

In 13 (52%) of 25 cases of male perpetrated femicide, the victim had at least one child by another partner.

In 5 (42%) of 12 male perpetrated homicide/suicides, the female victim had at least one child by another partner.

In 2 (18%) of 11 cases of female perpetrated homicide, the male decedent had at least one child by another partner. However, 4 (36%) of the female perpetrators had at least one child by

another partner.

E. Age

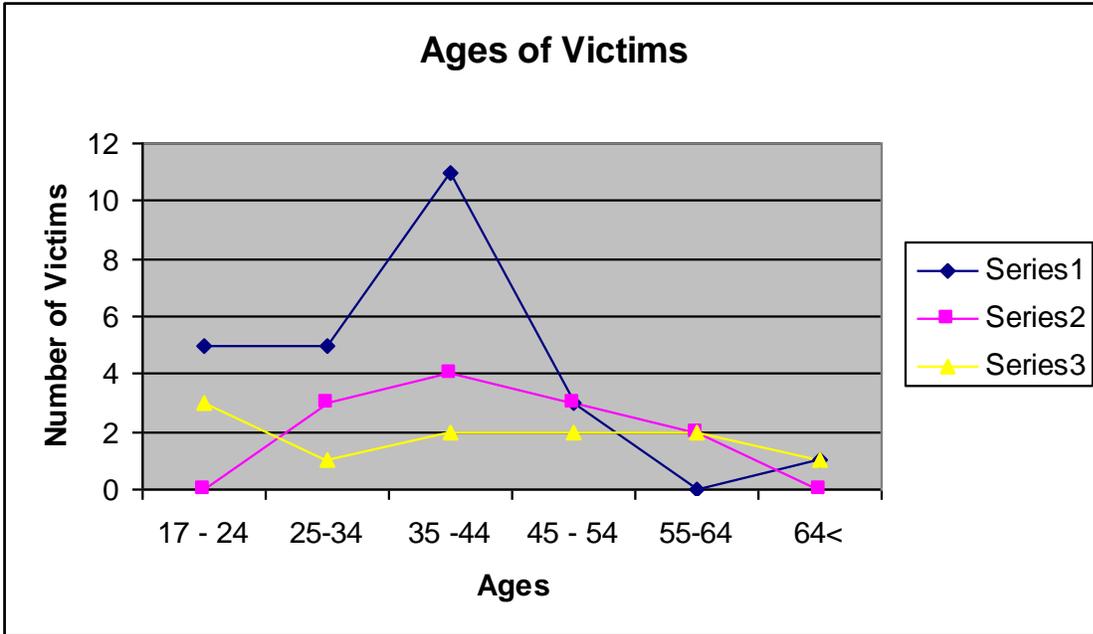
In 16 (64%) of 25 male perpetrated femicides, the perpetrators (avg. age 40 yrs.) were older than the victims (avg. age 36 yrs.) by an average of 7 years.

In homicide/suicides, the perpetrators (avg. age 43 yrs.) and the victims (avg. age 42 yrs.) tended to be older than perpetrators and victims in male perpetrated femicides and female perpetrated homicides. In 6 (50%) of 12 homicide/suicides, the female victims were older than their male perpetrators by an average of 3 years.

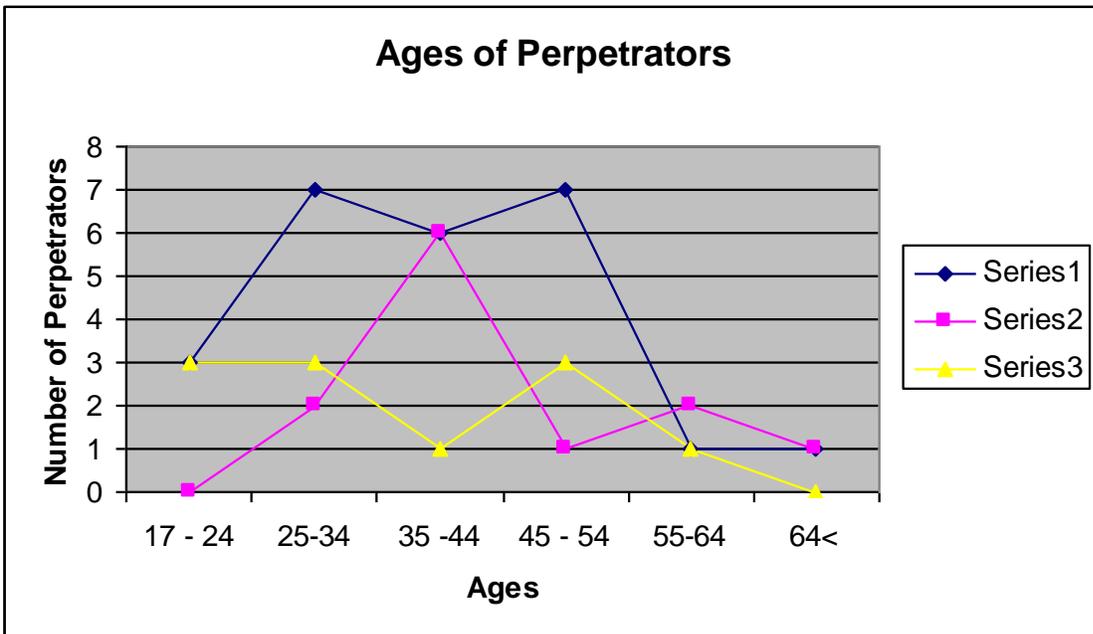
Female homicide perpetrators (avg. age 36 yrs.) tended to be about the same age as female victims of male perpetrated homicides (avg. age 36 yrs.), but tended to be younger than male perpetrators (avg. age 42 yrs.) and female victims of homicide/suicide (avg. age 42 yrs.). Seven (64%) of the 11 female perpetrators were younger than their male victims by an average of 9 years.

The age breakdown for perpetrators and victims is provided below.

	Overall	Male Perpetrated Femicides & Homicide/Suicides	Male Perpetrated Femicides	Homicide/Suicides	Female Perpetrated Homicides
Total Cases	48	37	25	12	11
Avg. Age of Perpetrators	39 yrs	42 yrs	40 yrs	43 yrs	36 yrs
Perpetrators' Age Range	20-86 yrs	20-86 yrs	20-86 yrs	27-59 yrs	23-47 yrs
Avg. Age of Victims	39 yrs	39 yrs	36 yrs	42 yrs	40 yrs
Victims' Age Range	17-79 yrs	17-79 yrs	17-79 yrs	25-63 yrs	20-69 yrs
Men Older Than Women	60% (29 cases)	59% (22 cases)	64% (16 cases)	50% (6 cases)	64% (7 cases)
Avg. Age Differential	6 yrs	6 yrs	7 yrs	5 yrs	9 yrs
Women Older Than Men	31% (15 cases)	32% (12 cases)	24% (6 cases)	50% (6 cases)	27% (3 cases)
Avg. Age Differential	5 yrs	4 yrs	4 yrs	3 yrs	3 yrs
Couples the Same Age	8% (4 cases)	8% (3 cases)	12% (3 cases)		9% (1 case)



Series 1 – Male Perpetrated Femicides - Ages of Female Victims
 Series 2 – Homicide/Suicides – Ages of Female Victims
 Series 3 – Female Perpetrated Homicides – Ages of Male Victims



Series 1 – Male Perpetrated Femicides – Ages of Male Perpetrators
 Series 2 – Homicide/Suicides – Ages of Male Perpetrators
 Series 3 – Female Perpetrated Homicides – Ages of Female Perpetrators

F. Race

Forty-four (92%) of the 48 cases involved couples with the same racial/ethnic identity.

In the 25 cases of male perpetrated femicide, 22 (88%) cases involved couples with the same racial/ethnic identity. Ten (40%) of the cases involved Caucasian couples and 12 (48%) of the cases involved African American couples, while 2 (8%) cases involved African American perpetrators and Caucasian victims, and 1 (4%) case involved a Latino perpetrator and a Caucasian victim.

Nine (75%) of the 12 perpetrators of homicide/suicide were Caucasian. Eight (67%) of these cases involved Caucasian couples, and 3 (25%) involved African American couples. One case involved a Caucasian perpetrator and an African American victim.

In all (100%) of the female perpetrated homicides, the perpetrators and victims shared the same racial/ethnic identity. Seven (64%) of the 11 couples were African American, and 4 (36%) of the couples were Caucasian.

The breakdown by racial/ethnic identity is provided below.

	Overall	Male Perpetrated Femicides & H/S	Male Perpetrated Femicides	Homicide/Suicides	Female Perpetrated Homicides
Total Cases	48	37	25	12	11
Caucasian Perpetrator & Victim	46% (22 cases)	49% (18 cases)	40% (10 cases)	67% (8 cases)	36% (4 cases)
African-American Perpetrator & Victim	46% (22 cases)	41% (15 cases)	48% (12 cases)	25% (3 cases)	64% (7 cases)
Caucasian Perpetrator & African-American Victim	2% (1 case)	3% (1 case)		8% (1 case)	
African-American Perpetrator & Caucasian Victim	4% (2 cases)	5% (2 cases)	8% (2 cases)		
Latino Perpetrator & Caucasian	2% (1 case)	3% (1 case)	4% (1 case)		

Victim				
---------------	--	--	--	--

G. Relationship

In 32 (67%) of 48 cases the couples were never married.

In 26 (54%) of 48 cases the couples were either married (21%) or living together (33%) at the time.

In the 12 homicide/suicide cases, 8 (67%) cases involved couples who were either married (25%) or living together (42%) at the time. A ninth couple was married but had been living apart for several years. They have been placed in the ex-spouse/divorcing category for the purposes of this analysis.

Ten (91%) of the 11 couples involved in female perpetrated homicides were either married, living together, or had lived together at some point. Eight (73%) of these couples were either married (27%) or living together (45%) at the time. However, 8 (73%) of these couples were never married. Only 1 (9%) female perpetrated homicide involved a couple that had never married or lived together.

The breakdown of relationships is provided below.

	Overall	Male Perpetrated Femicides & H/S	Male Perpetrated Femicides	Homicide/Suicides	Female Perpetrated Homicides
Total Cases	48	37	25	12	11
Current Spouse	21% (10 cases)	19% (7 cases)	16% (4 cases)	25% (3 cases)	27% (3 cases)
Ex-Spouse/ In Process of Divorcing	13%* (6 cases*)	16% (6 cases)	16% (4 cases)	17%* (2 cases*)	
Live-In Intimate Partner	33% (16 cases)	30% (11 cases)	24% (6 cases)	42% (5 cases)	45% (5 cases)
Ex Live-In Intimate Partner	19% (9 cases)	19% (7 cases)	20% (5 cases)	17% (2 cases)	18% (2 cases)
Dating, Never Lived Together	10% (5 cases)	11% (4 cases)	16% (4 cases)		9% (1 case)
Couples Who Were Never Married - Unknown If They Ever Lived Together	4% (2 cases)	5% (2 cases)	8% (2 cases)		

**In one homicide/suicide case, the couple was married but had been living apart for several years. They have been counted as ex-spouses for the purposes of this analysis.*

Length of Relationship

Determining the length of these relationships is an inexact science, and the figures given here should be regarded as estimates provided by family members. In 3 cases, the Committee was unable to find even an estimate of the length of the couples' relationships.

	Overall	Male Perpetrated Homicides & F/S	Male Perpetrated Femicides	Homicide/Suicides	Female Perpetrated Homicides
Cases w/ Data Available	45 cases	34 cases	23 cases	11cases	11 cases
Average	8 yrs	9 yrs	7 yrs	9 yrs	5 yrs
Range	<1 yr – 50 yrs	<1 yr – 50 yrs	<1 yr – 50 yrs	2 – 37 yrs	1 – 13 yrs

H. Cause of death

The top 3 causes of death were firearms (56%), stabbing (23%) and strangulation (6%).

Male perpetrators of femicide resorted to a wider range of methods in killing their partners. They were the only perpetrators who killed their partners with blunt force (in at least 2 cases), by burning (in 1 case), or by drowning (1 case) them.

Perpetrators of homicide/suicide either shot (10 cases or 83%) or strangled (2 cases or 17%) their partners.

Female perpetrators of homicide tended to either shoot (7 of 11 cases or 64%) or stab (3 of 11 cases or 27%) their partners. One (9%) female perpetrator killed her partner by hitting him with an automobile.

The breakdown for cause of death is provided below.

	Overall	Male Perpetrated Femicides & H/S	Male Perpetrated Femicides	Homicide/Suicides	Female Perpetrated Homicides
Total Cases	48	37	25	12	11
Firearm	56% (27 cases)	54% (20 cases)	40% (10 cases)	83% (10 cases)	64% (7 cases)
Stabbing	23% (11 cases)	22% (8 cases)	32% (8 cases)		27% (3 cases)
Strangulation	6%* (3 cases*)	8% (3 cases)	4% (1 cases)	17%* (2 cases*)	
Either Strangulation or Blunt Force, Both Occurred	2% (1 case)	3% (1 case)	4% (1 case)		
Automobile	2% (1 case)				9% (1 case)
Burning	2% (1 case)	3% (1 case)	4% (1 case)		
Drowning	2% (1 case)	3% (1 case)	4% (1 case)		
Blunt Force	4% (2 cases)	5% (2 cases)	8% (2 cases)		
Either Stabbing or Automobile Both Occurred	2% (1 case)	3% (1 case)	4% (1 case)		

**In one homicide/suicide case the Coroner declared the cause of death "Unknown, Possibly Strangulation."*

I. Domestic Violence History

In 36 of 48 cases (75%) the couple had documented history of domestic violence.

Thirteen (27%) of the 48 homicides occurred in the wake of pending or recent domestic violence-related criminal cases or violent conduct that could have been charged. In 9 (19%) of the 48 cases, domestic violence charges were pending at the time of the homicide. Additionally, 4 (8%) perpetrators had domestic violence-related charges dismissed within 3 months of the homicide. (In one of these cases, the charges were dropped because the Prosecutor's Office could not locate the victim to serve her. The victim was staying in the shelter at the time.) Domestic violence charges were not taken against 2 perpetrators because the victim did not appear at the Prosecutor's Office. (One of the victims failed to appear because she was in the hospital recovering from abuse-related surgery.) Finally, 1 victim reported a domestic violence-related assault 1 month before her batterer killed her, but she requested and police agreed to drop the matter before the perpetrator was arrested.

Of the 12 cases of homicide/suicide, 8 (67%) of the perpetrators had a documented history of domestic violence.

Of the 11 homicides perpetrated by females, 8 (73%) of the perpetrators were known to have been previously battered by the man they killed. Two female perpetrators had been charged with domestic violence-related offenses on more than one occasion prior to the homicide. In 3 cases, there was no known history of any domestic violence, although 1 of the female perpetrators had experienced significant violent trauma perpetrated by someone else not long before the homicide.

J. Protection Orders

In 4 (8%) of 48 cases there was a Temporary Protection Order (issued by a criminal court) or Civil Protection Order (issued by the Domestic Relations Court) in place at the time of the homicide. In 2 (4%) of 48 cases, Temporary Protection Orders had been dismissed within 3 months prior to the homicides due to dismissal of the criminal cases.

K. Perpetrators on Probation or Parole at the Time of the Homicide

One female perpetrator was charged with felonious assault in a non-domestic violence-related case and was out of jail on a \$20,000 bond at the time of the homicide.

One male perpetrator of femicide was charged with the following 5 misdemeanor offenses 29 days before he killed his partner and was released on his own recognizance pending a trial: Assault (M1), Aggravated Menacing (M1), Disorderly Conduct (M4), Domestic Violence (M1), and Domestic Violence (M4). At the time of these offenses, this perpetrator was on probation for

Carrying a Concealed Weapon a year and a half earlier.

One male perpetrator of femicide had been convicted of rape (non-domestic violence related), was out of prison on parole and had a Warrant on Indictment pending for an alleged burglary at the time of the homicide.

L. Victim Services

Victim advocates attempted outreach and/or provided services to 11 (30%) of the 37 female victims killed by male perpetrators and attempted outreach to 5 (45%) of the 11 female perpetrators. Two (17%) of the 12 victims of homicide/suicide had contact with victim advocates, one when she was involved with a prior batterer and the other 10 years before her husband killed her and then himself. Details of the victim services provided to homicide victims and female perpetrators are provided below.

Services Received by Female Homicide Victims (including Homicide/Suicides)

Out of 37 homicides perpetrated by males, 11 (30%) victims had some form of contact with victim advocacy services prior to their deaths. Three (27%) of the 11 victims had contact with victim advocacy services while they were involved with a prior batterer who was not the perpetrator of their homicides. Only 1 of these 3 victims had further contact with victim advocacy services when she was involved with the batterer who ultimately killed her. Two of these victims had contact with victim advocacy services while they were involved with a prior batterer who was not the perpetrator of their homicides but did not have contact with victim advocates while they were involved with the perpetrators who ultimately killed them. In 1 of these cases there was no documented domestic violence with the batterer who ultimately killed the victim. One victim received outreach from a victim advocate after she was threatened by a sibling. She declined services. At the time she was involved with the batterer who ultimately killed her.

Victims' contacts with victim advocacy services broke down as follows:

2 victims received shelter and court outreach*

2 victims received court outreach* and ongoing services

1 victim received services via a hotline call, but no follow up services

1 victim received services via a hotline call and follow up services

1 victim received services via 2 hotline calls and follow up services

1 victim declined any service at court outreach*

2 victims received court outreach* when they were victimized by a prior batterer but did not have subsequent contact with victim advocates while they were involved with the batterers who ultimately killed them. One of these victims spent 40 minutes with an advocate, during

which time safety planning was discussed. The other victim did not respond to 2 outreach attempts (1 telephone call, and 1 letter).

1 victim received court outreach via a letter and telephone call when she was threatened by a family member but was “disinterested.” At the time she was involved with the batterer her killed her 3 years later.

**Victim advocates “provide outreach” to victims by approaching them at court, sending an introductory letter or calling a victim once a police report has been generated and passed on to Artemis Center. Outreach is simply an offer to provide information about the legal justice system and victim services. Once this initial contact has been made by the victim advocate, a victim may or may not choose to follow up by seeking additional services.*

Services Received by Victims in Homicide/Suicide Cases

Ten (83%) of the 12 victims in homicide/suicide cases did not have any contact with victim advocacy services. One victim received court outreach when she was victimized by a prior batterer but did not have subsequent contact with victim advocates while she was involved with the batterer who ultimately killed her. One victim received services via 2 hotline calls and follow up services 10 years before her husband killed her and then himself. Artemis Center received a referral for 1 victim, but was unable to contact her because they were not provided with a safe telephone number for the victim.

Services Received by Female Homicide Perpetrators

Of the 11 female perpetrators, 8 (73%) were victims in prior domestic violence cases involving the partner they ultimately killed. One female perpetrator’s husband had killed his ex-wife many years before. Victim advocates attempted court outreach to 5 (63%) of the 8 perpetrators who were victims in prior domestic violence cases involving the partner they ultimately killed. One woman followed up by petitioning for an *ex parte* Civil Protection Order with the accompaniment of a victim advocate. One woman followed up with 1 call to the DV Hotline. The other 3 women did not follow up with victim services.

Female perpetrators’ contacts with victim advocacy services break down as follows:

2 women received court outreach. In one of these cases, a victim advocate attempted to call the woman 3 times and sent a letter. The woman did not respond.

1 woman received court outreach and called the hotline to firmly decline services

1 woman received court outreach and called the hotline once, but did not follow up with services.

1 woman received court outreach and court accompaniment at an *ex parte* Civil Protection Order Hearing. She did not appear at the full hearing.

M. Batterer Intervention

Overall

Of the 36 cases where there was a documented history of domestic violence, 8 perpetrators (22%) had been ordered into batterer intervention. Six (75%) of the 8 perpetrators had completed a batterer intervention program. One perpetrator had attended but not completed a batterer intervention program shortly before he killed his partner and then himself. One perpetrator was on probation awaiting entrance into a batterer intervention program when he killed his partner.

One perpetrator received treatment for sex offenders while he served time in prison for rape. (The rape was not domestic violence-related.)

Male Perpetrated Femicide

Nineteen (76%) of the 25 male femicide perpetrators had documented histories of domestic violence. Four (21%) of the 19 perpetrators had been ordered into batterer intervention. One of the 4 was on probation waiting to start batterer intervention when he killed his partner.

Homicide/Suicide

Of the 12 cases of homicide/suicide, 8 (67%) perpetrators had a documented history of domestic violence, and 4 (50%) of these 8 perpetrators had attended batterer intervention. One of the 4 had not completed the batterer intervention program when he killed his wife and then himself.

Female Perpetrated Homicide

Of the 11 homicides perpetrated by females, 8 (73%) of the women were known to have been previously battered by the man they killed. In these cases none (0%) of the male victims had been ordered into a batterer intervention program.

In 2 (18%) of 11 cases of female perpetrated homicide, the women had been perpetrators or alleged perpetrators of prior domestic violence-related offenses. Neither (0%) of the female homicide perpetrators had been ordered to attend the Women Who Resort to Violence group.

N. Alcohol/Drug Use

In 35 (73%) of the 48 cases the perpetrators and/or the victims had histories of drug/alcohol abuse. The Coroner determined that alcohol or drugs were present at the time of the homicide in 27 victims (56%). Sixteen perpetrators (33%) were known to be using drugs/alcohol at the time of the homicide. In 2 cases police brought the perpetrators home in a highly intoxicated state within hours of the fatal events, one a particularly violent male perpetrated femicide and the other a homicide/suicide. In many cases, the perpetrators' alcohol/drug use at the time of the homicide

could not be determined due to the time lapse between the offense and the perpetrator's arrest.

IV. Emerging Trends

1. Significant differences between male perpetrated homicides, male perpetrated Homicide/suicides and female perpetrated homicides are emerging

The people involved in male perpetrated femicides, male perpetrated homicide/suicides and female perpetrated homicides appear to have different characteristics and different lethality indicators and may require different intervention strategies. For example, female victims of male perpetrated femicide are more likely to follow up with victim advocacy services than female perpetrators who have been victimized by the men they subsequently kill. In addition, female victims of homicide/suicide are the least likely to have had contact with victim advocacy services before their death.

In the past, the Committee has not gathered information about victims' and perpetrators' economic status or perpetrators' social supports (or lack thereof). Expanded methods of data collection may reveal significant differences among perpetrators and victims of the different types of domestic violence-related homicide in these and other areas.

2. Many victims consider their physician their only community resource for dealing with domestic violence

Interviews with survivors of 4 victims revealed that two victims relied on their doctors for help with personal problems. According to a close relative, one victim received prescriptions for anxiety and depression from her primary care physician but would not have gone to a therapist for assistance. A close relative of another victim asked the perpetrator's physician for assistance on behalf of the victim and the rest of the family. A close relative of yet another victim said that victim would *never* have called the Domestic Violence Hotline.

3. Victims who utilized victim advocacy serves were less likely to kill their partners

To date, 11 (30%) out of 37 female victims had some form of contact with victim advocacy services prior to their deaths. Eight (73%) of the 11 victims availed themselves of victim advocacy services beyond outreach.

However, victims who went on to murder their abusers had fewer contacts with victim services after outreach. Of the 11 female homicide perpetrators, 8 (73%) were victims in prior domestic violence-related cases involving the partner they ultimately killed. Victim advocates attempted court outreach to 5 (63%) of the 8 women, but only 2 (40%) of the 5 women followed up with services.

A comprehensive DOJ study of the past quarter century found that the number of women killed annually in domestic violence incidents has dropped slightly, by 18%. Over the same time period, the number of men killed annually in domestic violence incidents has dropped dramatically, by two-thirds. (Rennison, *Intimate Partner Violence, Bureau of Justice Statistics Special Report* (May, 2000), NCJ 178247.) Domestic violence experts believe the drop in the number of male homicide victims is due to the increasing availability of victim advocacy services

to battered women, who are then able to utilize advocacy supports and safety planning to get safe instead of resorting to violence.

4. More victims are surviving lethal-level trauma

Research has revealed that dramatic improvements in trauma care account for the survival of a significant number of victims who otherwise would have died at the hands of their abusers. (Michael S. Rosenwald, A Hidden Remedy for Murder, *Boston Globe* B1 (Aug. 4, 2002).) These survivors have valuable knowledge about the perpetrators of lethal-level assaults and the dynamics of their relationships. Interviews of survivors of lethal-level assaults could inform the death review process.

V. Implications and Recommendations

The aggregate data continues to support many of the Domestic Violence Review Committee's previous recommendations. Of those recommendations, none have been completely accomplished, although progress has been made in several areas.

The data supports continued emphasis on the following recommendations which are explained in detail below:

1. Improve the Healthcare Response to Domestic Violence
2. Job and Family Services Should Identify Victims and Provide Assistance and Support
3. Substance Abuse Services Providers Should Screen for Domestic Violence
4. Educate Systems Partners about the Danger Suicidal Abusers Represent to Victims
5. Law Enforcement Should Document Perpetrators' Threats of Homicide and/or Suicide in Police Reports
6. Courts Should Consider Each Defendant's History of Domestic Violence-Related Incidents Where No Charges Were Brought
7. Police Responding to Intoxicated Individuals Should Check their Records for Domestic Violence and Other Violent Offenses including Incidents Where No Charges Were Brought
8. Montgomery County Should Designate a Facility to Hold Intoxicated Individuals with a Record of Domestic Violence and/or Other Violent Offenses for 12 - 24 Hours
9. Improve Access to Victim Services
10. Law Enforcement Should Ask Victims for "Safe" Telephone Numbers
11. Law Enforcement Should Complete and Submit Lethality Assessments in Time for Bond Setting
12. Improve Victim Access to Civil Protection Orders and Counsel
13. Provide Training for Civil Attorneys
14. Domestic Relations Court and Criminal Courts Should Reduce Access to Weapons
15. Law Enforcement Should Reduce Perpetrators' Access to Weapons
16. Healthcare Providers and Senior Services Providers Should Reduce Perpetrators' Access to Weapons

17. Enforce Protection Orders and Prosecute Violations Aggressively
18. Enhance Misdemeanor Charges to Felonies
19. Prosecute Without the Complaining Witness When Necessary
20. Prosecutors and Police Should Follow Up If Complaining Witness Fails to Appear
21. Research Is Needed to Understand Why Victims Fail to Appear
22. Fast-Track Offenders into Batterer Intervention
23. Provide a Batterer Intervention Victim Liaison
24. Order Female Offenders into the Women Who Resort to Violence Group
25. Provide Rapid Response Services for Children of Homicide Victims
26. Expand Community Education Efforts
27. Increase Public Awareness of Safety Planning and the Danger of Leaving
28. Continue the Safety Assessment Process
29. Improve Communication
30. Analyze Domestic Violence Sentencing
31. Maintain and Expand the Justice Web Criminal Justice Information System.

1. Improve the Healthcare Response to Domestic Violence

Research has shown that over 40% of women killed in domestic violence-related homicides were seen in the health care system during the year before they were killed. Sharps, P. W., Koziol-McLain, J., Campbell, J. C., McFarlane, J., Sachs, C., & Xu, X. (2001). Missed opportunities for prevention of femicide by health care providers. *Preventive Medicine* 33, 373-80.

Screening for domestic violence should occur at all entry points into the health care system. Healthcare providers should receive training in how to screen for domestic violence and best response practices. Healthcare providers should also receive training in screening for risks to family members posed by patients with dementia who have access to weapons and best response practices.

The Health Insurance Portability and Accountability Act (HIPAA) has significantly impeded the sharing of information in these cases. Greater access to decedents' medical records would inform the fatality review process and may shed more light on barriers faced by victims and providers and healthcare providers' best responses to domestic violence.

2. Job and Family Services Should Identify Victims and Provide Assistance and Support

In the 48 cases reviewed by the Committee 5 female victims and 1 female perpetrator were on public assistance; 1 victim had been laid off within weeks of her homicide; 1 female victim and 1 male victim received Social Security Disability Insurance payments. Presumably, all 9 of these individuals met with a Job and Family Services caseworker at some point. Such meetings present an important opportunity to provide victims with the financial supports they need to get safe as well as a referral to a victim advocate and/or shelter where they can receive assistance with safety planning and other victim services.

Recent legislation requires Montgomery County Job and Family Services (MCJFS) staff to screen Ohio Works First applicants to identify domestic violence victims and refer them for victim advocacy services. (RC 5107.71) MCJFS staff should screen and provide referrals to applicants for all financial assistance programs, including Ohio Works First, Social Security Disability Insurance, Unemployment Compensation Benefits, and Medicaid.

3. Substance Abuse Services Providers Should Screen for Domestic Violence

Alcohol and drug abuse is often present in victims and perpetrators of domestic violence. Twenty-seven (56%) victims had ingested alcohol and/or drugs at the time of the homicide. In addition, 16 (33%) perpetrators were known to be using alcohol and/or drugs at the time of the homicide. (In many cases, the perpetrators' alcohol/drug use at the time of the homicide could not be determined due to the time lapse between the offense and the perpetrator's arrest.) Substance abuse services providers should screen for domestic violence and refer victims and perpetrators for appropriate services.

4. Educate Systems Partners about the Danger Suicidal Abusers Represent to Victims

Healthcare providers, mental health providers, and legal justice professionals should be educated about the significance abusers' suicidal ideations, which are an indicator of lethality. Organizations, institutions, and individuals that work with domestic violence victims or perpetrators should collaborate on establishing protocols for identifying and minimizing the danger the combination of suicidal ideation and domestic violence poses to intimate partners and others. Systems partners should always ask a victim about the abuser's suicidal ideations and behaviors. If there is a history of suicidal ideation, they should inform and educate victims about the risk of homicide and intensify safety planning.

5. Law Enforcement Should Document Perpetrators' Threats of Homicide and/or Suicide in Police Reports

Law enforcement officers should document threats of homicide and suicide in police reports and then fax those police reports to Artemis Center for follow up. When domestic violence and threats of suicide are both present, officers should recognize the increased danger to the victim. In those cases, police should provide the victim with information about the increased risk of homicide and make a referral to the Domestic Violence Hotline for safety planning and other services.

6. Courts Should Consider Each Defendant's History of Domestic Violence-Related Incidents Where No Charges Were Brought

Domestic violence perpetrators often manipulate, threaten and/or intimidate their partners so they will not cooperate with a prosecution against the perpetrator. In 1 case a perpetrator killed his partner and himself while he had domestic violence-related charges pending against him. He had been released on his Own Recognizance despite the fact that he was on probation for carrying a concealed weapon. His record revealed that he had 1 domestic violence-related conviction for a rape 8 years earlier, however domestic violence-related charges against the perpetrator had been refused on 4 separate occasions over an 8 year period because the complaining witnesses failed to

appear at the prosecutor's office. The various offenses involved 3 different victims. Under R.C. 2919.251 arraignment courts must determine whether the defendant poses a threat to any other person when setting bond. As part of that process, Pre-Trial Services and arraignment courts should consider a suspect's "no-charge" history. In addition, at trial Pre-Sentence Investigation Reports should include the perpetrator's "no-charge" history for the Court's consideration in sentencing.

7. Police Responding to Intoxicated Individuals Should Check their Records for Domestic Violence and Other Violent Offenses including Incidents Where No Charges Were Brought

In 2 cases police officers took an intoxicated perpetrator home to the victim on the nights the homicide and homicide/suicide occurred. One perpetrator had served time in prison on a felony domestic violence conviction. The other perpetrator had a conviction for assault in another state. When officers are considering transporting an intoxicated individual home, they should first check his or her record for domestic violence and other violent offenses. If an intoxicated individual has a record for such offenses or has been "no-charged" for such offenses, he or she should not be taken home or to his or her partner's residence.

8. Montgomery County Should Designate a Facility to Hold Intoxicated Individuals with a Record of Domestic Violence and/or Other Violent Offenses for 12 - 24 Hours

As stated above (see Recommendation 7), in 2 cases police officers took an intoxicated perpetrator home to the victim on the nights the homicide and homicide/suicide occurred. One perpetrator had served time in prison on a felony domestic violence conviction. The other perpetrator had a conviction for assault in another state. When police are considering transporting an intoxicated individual home, they should first check his or her record for domestic violence and other violent offenses. If an intoxicated individual has a record for such offenses or has been "no-charged" for such offenses, he or she should not be taken home or to his or her partner's residence. To protect victims, police should place intoxicated individuals with violent criminal histories in jail or a healthcare setting for 12 - 24 hours.

9. Improve Access to Victim Services

Safety planning with victims is an imperative. The 24-hour Domestic Violence Hotline (DV Hotline) remains the single point of access to services for victims of domestic violence in Montgomery County. The victim advocates who answer the hotline provide immediate access to crisis intervention and safety planning and link victims with other community resources. The Death Review Committee recommends continuation of this vital service.

Systems and community partners should consider the DV Hotline as a resource when they are trying to help victims and should refer victims to the DV Hotline for assistance. In addition, the Montgomery County Domestic Violence Protocol states that the Victim Resource Information Sheet should be distributed by police to the victim at every domestic violence call. Officers and other systems partners should consider victim literacy levels when distributing printed information. Professionals of every discipline who come in contact with domestic violence

victims should insure that referrals are communicated in the most effective manner possible, particularly to those victims who may have limited reading skills, language fluency, limited access to telephones, etc. To further this effort, systems and community partners should receive continuing news and education about domestic violence and available resources, so that informal systems, such as the workplace or place of worship, can better assist victims.

10. Law Enforcement Should Ask Victims for “Safe” Telephone Numbers

Law enforcement officers should ask victims to provide “safe” telephone numbers that victim advocates can call without putting the victim at risk of harm by the perpetrator. In one case Artemis Center received a referral for a victim before she was killed but was unable to contact her because they were not provided with a safe telephone number.

11. Law Enforcement Should Complete and Submit Lethality Assessments In Time for Bond Setting

Under R.C. 2919.251, courts must consider lethality indicators when setting bond for defendants charged with domestic violence. The Lethality Assessment Checklist is included in the DV Supplement form used by local law enforcement. However, use of the DV Supplement remains inconsistent across jurisdictions. Some law enforcement agencies require officers to complete the DV Supplement with every domestic violence police report. Some agencies require officers to complete the DV Supplement only when the suspect is charged with a felony. Other agencies permit officers to complete DV Supplements on a sporadic basis. Even when officers complete DV Supplements, they often aren't faxed to Pre-Trial Services in time for arraignments. Law enforcement officers should complete a DV Supplement form, including the Lethality Assessment Checklist, for every domestic violence case and fax it to Pre-Trial Services in time for the court to consider the information for bond setting.

In addition, when law enforcement officers transport defendants charged with domestic violence-related offenses to the Montgomery County Jail they should complete the Supplemental Booking Slip, which includes the lethality indicators required under R.C. 2919.251. The Supplemental Booking Slip will alert jail personnel to utilize the appropriate bond schedule for defendants who bond out before arraignment.

12. Improve Victim Access to Civil Protection Orders and Counsel

A substantial number of civil domestic violence cases continue to go forward without legal representation or advocacy due to inadequate staffing for outreach at the Court of Domestic Relations. Courts issuing Civil Protection Orders should work with community-based victim advocates to ensure that victims are informed of the services available to them, and that safety planning is offered. Victims should be informed of the heightened risk that their abusers will escalate once they are served with *ex parte* Protection Orders. Victims should also be informed of expiration/limits of criminal protection orders and advised of options for civil relief. Resources and safety planning are imperative given that separation, a condition of Civil Protection Orders, is a risk factor for increased danger/lethality.

13. Provide Training for Civil Attorneys

Attorneys who represent victims in Civil Protection Order (CPO) and other family law cases should receive training in the dynamics of domestic violence, safety planning, and custody issues that affect victims and their children. Some victims feel a false sense of security when an *ex parte* CPO is issued because they do not realize that their abuser may escalate when he is served with the *ex parte* CPO. Attorneys should be prepared to advise their clients of the increased risk and either safety plan with their clients or refer them to the Domestic Violence Hotline for safety planning.

14. Domestic Relations Court and Criminal Courts Should Reduce Access to Weapons

In the 48 cases reviewed by the Committee, the majority of victims were killed by firearms (56%) or by stabbing (23%). Judges and magistrates should inquire specifically about abusers' access to weapons, should order abusers to surrender weapons as part of temporary, *ex parte* and full protection orders, and should make surrender of weapons a condition of pre-trial release for domestic violence charges. Domestic Relations Court judges and magistrates should check the relevant boxes on all *Ex Parte* and Civil Protection Orders which state:

“RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON. Respondents shall turn over all deadly weapons in Respondent's possession to the law enforcement officer who serves Respondent with this order...Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order.”

When the above restriction on Protection Orders is checked, process servers should seize all weapons and Concealed Carry Licenses when they serve protection orders on respondents.

15. Law Enforcement Should Reduce Perpetrators' Access to Weapons

Every jurisdiction in Montgomery County should establish a protocol for weapon removal for convicted domestic violence offenders and domestic violence offenders subject to protection orders. The DV Supplement forms used by law enforcement include questions that prompt officers to ask about the suspect's access to and use of weapons. Officers should attempt to remove all weapons from the home, especially when the abuser has a history of homicidal or suicidal threats.

Law enforcement agencies should notify gun owners who retrieve seized weapons from police property rooms that providing a weapon to a respondent under a protection order is a violation of federal law.

16. Healthcare Providers and Senior Services Providers Should Reduce Perpetrators' Access to Weapons

In addition, the community should take action to reduce abusers' access to weapons. Physicians should ask their patients who are victims if their abusers have access to weapons and should refer

victims to the Domestic Violence Hotline for safety planning.

On occasion men with dementia shoot their wives, sometimes fatally. Family doctors and senior services providers should routinely ask family members of patients with dementia whether the patient has access to weapons and should strongly encourage family members to remove guns from the patients' homes. Family members with concerns should consult with law enforcement about gun safety and removal.

17. Enforce Protection Orders and Prosecute Violations Aggressively

Criminal and civil protection orders must be enforced by all law enforcement agencies, and violations should be prosecuted aggressively. In the 48 cases reviewed by the Committee, the majority of victims were killed by firearms (56%). Violations of federal and state firearms laws by domestic violence perpetrators should be prosecuted aggressively. Violations of protection orders, including non-violent violations, indicate a dangerous offender. Courts should consider revoking the bond of offenders who violate court orders while criminal charges are pending.

18. Enhance Misdemeanor Charges to Felonies

All reasonable and practical efforts must be made to prosecute enhanceable offenses as felonies. Thorough police investigations and use of the Justice Web Criminal Justice Information System database are critical to determine whether defendants have prior domestic violence convictions in other jurisdictions.

19. Prosecute Without the Complaining Witness When Necessary

Criminal courts must engage in all reasonable efforts to prosecute cases, even when the complaining witness is not available to assist the prosecution. In 34 (71%) of the 48 cases reviewed by the Committee the couples had prior contact with the criminal justice system because of domestic violence. In 16 (47%) of 34 cases where the parties had contact with the criminal justice system before the homicide, prior misdemeanor domestic violence charges were dismissed due to lack of participation of the complaining witness.

Although prosecuting a case without the testimony of the victim has become more challenging in the wake of *Crawford v. Washington*, 541 U. S. 36 (2004), the system must engage in efforts to hold domestic violence perpetrators accountable for their crimes. As stated in the Montgomery County Domestic Violence Protocol, "*criminal charges can and should be filed, and convictions obtained, in domestic violence cases irrespective of the cooperation of the victim, where there is sufficient independent corroborative evidence of the elements of the crime and the identity of the perpetrator.*" In order to achieve this, law enforcement policies must emphasize thorough evidence collection at the scene as well as follow-up investigations, and prosecutors must pursue evidence-based prosecution independent of victim testimony. Courts should hear domestic violence cases whether or not the complaining witness is present, as they do in homicide cases.

20. Prosecutors and Police Should Follow Up If Complaining Witness Fails to Appear

If a victim fails to appear at the Prosecutor's Office, the prosecutor and/or investigators should

follow up with the victim to ensure the victim is not in danger. Prosecutors and investigators are encouraged to communicate with victim advocates and shelter staff regarding the victim's safety.

21. Research Is Needed to Understand Why Victims Fail to Appear

Twenty-four (50%) of the 48 males involved in domestic violence related homicides (including male victims of female perpetrated homicides) and 1 female perpetrator of homicide had prior convictions and/or arrests for domestic violence-related offenses. Many times the charges were dropped because the victim failed to appear at the prosecutor's office or refused to cooperate with the prosecution. Focus groups of victims who have failed to appear or refused to cooperate in domestic violence cases should be convened to gain an understanding of the victims' actions and learn what systems partners can do to address the issue.

22. Fast-Track Offenders into Batterer Intervention

One homicide occurred while the offender was on probation, awaiting entrance into a batterer intervention program. Offenders should be fast-tracked into batterer intervention, and the intervention ordered should closely follow the recommendations in the *Montgomery County Domestic Violence Protocol*. In 2007 the Batterer Intervention Partnership in collaboration with the Montgomery County Criminal Justice Council Subcommittee on Domestic Violence and the Family Violence Collaborative conducted a survey to assess each of the local batterer intervention program's compliance with the criteria set out in the Protocol. Judges are encouraged to become familiar with the survey results and be guided by the degree to which each program complies with the Protocol.

Judges and magistrates should order offenders into batterer intervention programs that are of long duration, require offenders' full and immediate compliance with court orders to attend batterer intervention, and impose immediate accountability for noncompliance.

Domestic violence offenders should not be ordered into anger management programs because they are an ineffective response to domestic violence.

23. Provide a Batterer Intervention Victim Liaison

Batterer intervention programs should have a victim liaison to contact victims in person or by telephone. The liaison should be separate from the abuser group leader. The victim liaison should immediately report to victims every overt or veiled threat, every act of non-compliance, and every failure to attend a batterer intervention meeting.

In addition, batterer intervention programs should give victims accurate information in plain language about the limitations of batterer intervention and the conditions under which it is more likely to be effective, including complete citations to literature on the topic.

24. Order Female Offenders into the Women Who Resort to Violence Group

In 2 (18%) of 11 cases of female perpetrated homicide, the females had been perpetrators or alleged perpetrators of prior domestic violence-related offenses. Neither (0%) of the female

homicide perpetrators had been ordered to attend the Women Who Resort to Violence group. Courts are encouraged to order more women who are convicted of domestic violence-related offenses to attend Women Who Resort to Violence, which is designed for previously battered women who have resorted to violence as a means of defense or retaliation.

25. Provide Rapid Response Services for Children of Homicide Victims

Children at the scene of a domestic violence homicide should receive immediate therapy services to help ameliorate the trauma of witnessing such violence. Sixty-eight dependent children lost at least one parent as a result of the 48 homicides reviewed from 1995 – 2008. Of the cases where children were living in the home, children were present when the homicide occurred 64% of the time, and 61% of those children witnessed the homicide.

The recommendation for a multi-disciplinary team, working in concert with law enforcement and Montgomery County Children Services to respond to the needs of children in the wake of a domestic violence homicide, was instituted briefly and should be considered for re-implementation.

26. Expand Community Education Efforts

Community education efforts should be expanded. Victims, children, employers and the general public should receive education about non-violent controlling behaviors, such as monitoring. People who work with teens in any capacity should receive training regarding teen dating violence and teen advocacy resources in the community. Employers should provide training to management and staff about domestic violence and community resources for victims and children. The community should be reminded that efforts to reduce domestic violence not only protect adults from serious injury and death, but also protect children from serious physical and psychological harm, as well as help to prevent children from becoming a perpetrator or victim of domestic violence.

27. Increase Public Awareness of Safety Planning and the Danger of Leaving

Community education efforts should include efforts to increase public awareness of safety planning when leaving a relationship. Although leaving an abusive relationship reduces violence in the long term, the immediate threat is increased. Twenty-one (57%) of the 37 women killed by their partners or ex-partners were in the process of ending the relationship. At least two women were killed within moments after disclosing to the partner their intent to separate. In a third case, a homicide/suicide, a letter from the victim to the perpetrator expressing the victim's intent to leave the relationship was found near the perpetrator's personal effects. In addition, one female homicide perpetrator killed her ex-live-in-partner when he threatened her after they separated. This is consistent with national findings, which indicate that separation is a risk factor for increased violence and homicide. The implication is that safety planning could be critical in reducing risk during the separation process. It is imperative that the public and professional community be made aware of this through education.

28. Continue the Safety Assessment Process

In 2006, the Montgomery County Coordinated Community Response Committee (CCR) with

funding from the Montgomery County Family and Children First Council commissioned a Safety and Accountability Assessment of the 911 and police response. The resulting *Montgomery County Domestic Violence Safety and Accountability Assessment Report* included a number of recommendations for systems changes designed to enhance victim safety and offender accountability. Now that many of those recommendations have been implemented or are in the implementation phase, systems partners should conduct a second safety assessment of another part of the criminal justice system to enhance victim safety and offender accountability.

29. Improve Communication

Systems partners must continue to work on improving communication between agencies. In one case, the prosecutor's office did not charge a perpetrator because they could not locate the victim to notify her to appear at the Prosecutor's Office. The victim was staying at the shelter at the time. Even though shelter staff and victim advocates are bound by confidentiality, investigators and prosecutors should contact them when they have questions for or are trying to locate a victim. When a victim has not signed a release allowing the shelter or victim advocacy agency to communicate with the prosecutor or police about the victim's case, shelter staff and victim advocates may relay information from the police or prosecutor to the victim without confirming that they are in contact with or providing services to the victim.

30. Analyze Domestic Violence Sentencing

Domestic violence sentencing should be analyzed for any potential significance in predicting homicide. Given that 75% of the men (including male victims) and 60% of the perpetrators (including female perpetrators) had a documented history of domestic violence, a study should determine what criminal sanctions had been previously placed upon the offenders.

31. Maintain and Expand the Justice Web Criminal Justice Information System

The cross-jurisdictional database went online in fall 2005 and has proved to be a valuable tool for systems partners. Criminal justice professionals have come to rely on Justice Web in their efforts to hold batterers accountable for their crimes. For example, Justice Web has been helpful in identifying perpetrators with charges that can be enhanced from a misdemeanor to a felony because of a prior conviction. In addition, limited public access to Justice Web can also help victims get safer. For example, victims and victim advocates can access Justice Web via the Internet to determine whether a suspect is incarcerated. This information can be critical to a victim who might need to know whether it's safe to return home to pick up his or her belongings. The Montgomery County Domestic Violence Death Review Committee continues to support the Justice Web database and applauds efforts to bring other jurisdictions online.