

**STATE OF VERMONT**  
**DOMESTIC VIOLENCE**  
**FATALITY REVIEW COMMISSION**  
**REPORT**  
**2008**



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## **DEDICATION**

This report is dedicated to all Vermonters with the hope that our work inspires you to become involved in assuring the safety of Vermonters young and old.

## **INTRODUCTION**

On May 2, 2002, then Governor Howard Dean signed into law H. 728 which created Vermont's Domestic Violence Fatality Review Commission. See Appendix A for a copy of the Bill. The purpose of the Commission is to collect data and conduct in-depth reviews of domestic violence related fatalities in Vermont with the goal of making policy recommendations to prevent future tragedies. Vermont joined 28 other states and the District of Columbia in creating a multi-disciplinary domestic violence fatality review group. The theory behind all these review groups is that by examining data and information the Commission will be better able to understand why and how the fatalities occurred and what Vermont can do to prevent these fatalities.

This is the Sixth Commission Report. In January of 2003 the Commission issued its first Report and in January of 2004 the Commission issued a Statistical Report outlining data from 1994 - 2003. In 2005, 2006 and 2007, the Commission's Report updated the data in the 2004 Statistical Report and presented recommendations based on case reviews.

This Report includes data regarding the fatalities for 2007 and updates the statistical information that dates back to 1994. The Report provides an update on the Commission's earlier recommendations. In 2007, the Commission was able to complete one in-depth case review and it will report those case recommendations along with the other 2008 reviews in the 2009 Report.

## **COMMISSION AND MEMBERSHIP**

The Domestic Violence Fatality Review Commission operates under the auspices of the Office of Attorney General in consultation with the Vermont Council on Domestic Violence pursuant to 15 VSA Sec. 1140.

Under 15 VSA Sec. 1140, the purposes of the Commission are:

- to examine the trends and patterns of domestic violence related fatalities in Vermont;
- to identify barriers to safety, the strengths and weaknesses in communities, and systemic responses to domestic violence;

- to educate the public, service providers and policymakers about domestic violence fatalities and strategies for intervention and prevention; and
- to recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.

Pursuant to 15 VSA Sec. 1140(b), the Commission is comprised of 15 members, consisting of the following:

- The Attorney General, or his or her designee;
- The Commissioner of the Department of Health, or his or her designee;
- The Commissioner of Social and Rehabilitation Services<sup>1</sup>, or his or her designee;
- The Commissioner of the Department of Corrections, or his or her designee;
- The Commissioner of the Department of Public Safety, or his or her designee;
- The Chief Medical Examiner, or his or her designee;
- A State's Attorney with experience prosecuting domestic violence cases, appointed by the Executive Director of the Vermont State's Attorneys' Association;
- The Defender General, or his or her designee;
- A member of the Vermont Coalition of Batterer Intervention Services;
- A member of the Vermont Network Against Domestic and Sexual Violence;
- A representative of the Vermont Council on Domestic Violence;
- A representative of local law enforcement, appointed by the Governor;
- A victim or survivor of domestic violence, appointed by the Vermont Network Against Domestic and Sexual Violence;
- A physician, appointed by the Governor; and
- The Executive Director of the Vermont Criminal Justice Training Council, or his or her designee.

Appendix C lists the current members of the Commission.

## **SUMMARY OF COMMISSION'S ACTIVITIES IN 2007**

In January of 2007, the Commission issued a Report summarizing domestic violence related fatality data from 1994-2006 and presenting the Commission's recommendations regarding two case reviews. As required by 15 VSA Sec. 1140, the Commission distributed its report to the General Assembly, the Governor, the Chief Justice of the Vermont Supreme Court and the Council on Domestic Violence.

During 2007, the Commission met bi-monthly and the Executive Committee met monthly. In addition, the Commission added meetings when it conducted a case review in order to accommodate witnesses. The Commission completed one case review in 2007. The Commission had delays gathering case review documents which made it difficult to complete another review in 2007.

Notably, in May of 2007, the Commission revised their Protocol with the Vermont Council on Domestic Violence outlining a new responsibility for the Council in assisting the Commission in implementing the Commission's Recommendations. The new protocol represents a new joint effort that will benefit the Commission and will

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<sup>1</sup> Now known as Department for Children and Families (DCF) and Department for Children and Families, Family Services Division (FSD).

allow the Council to draw on its expertise and membership while working together to implement recommendations. The Commission Chair and the Coordinator of the Council gave a presentation to the Vermont Council regarding the new Protocol. The Commission and Council will work collaboratively to identify which recommendations the Council can assist with in terms of implementation and work towards that goal. A copy of the 2007 Protocol is attached as Appendix E.

Following up on its 2007 recommendations, the Commission is in the process of planning a statewide conference on June 9, 2008 that will highlight the work of the Commission and specifically the recommendations in the 2007 Report regarding implementing a public awareness campaign regarding bystander and witnessing issues. In 2007, the Commission spent a significant amount of time preparing for its June 9<sup>th</sup> Conference. The Commission recognizes that in order to reduce the prevalence of violence in our communities we need to broaden the audience, increase collaboration and forge new partnerships. A Save the Date Card for the Conference entitled "Before It's Too Late: Taking Action to Prevent Domestic Violence Homicides in Vermont Communities" is attached as Appendix F.

### **Commission Data for 2007**

2007 was a particularly tragic year in Vermont. In one week in the fall of 2007, there were four incidents of homicide and suicide that resulted in 6 adult deaths and 7 children losing a parent. During 2007, 7 children witnessed the deaths or aftermath with one five-year-old child discovering the murder-suicide of the child's mother and partner.

According to the Commission's data, in 2007, there were 11 homicides of adults, 7 of which were domestic violence related as defined by the Commission.<sup>2</sup> In addition there were three domestic violence related suicides. In 2007, 64% of all Vermont homicides were domestic violence related and 71 % of the domestic violence related deaths were committed with firearms. The 2007 number of domestic violence related fatalities increases to 91% when suicides that followed domestic violence related homicides (i.e. murder/suicides) are combined. Six of the homicides occurred in residences and one in a public space. Tragically, the homicides this year also included a bystander who was stabbed and killed coming to the aid of a friend being assaulted by an intimate partner.

In addition to these tragedies, 2007 had a number of near fatalities that were domestic violence related that were documented in both local and national news accounts. The mechanisms of assault included stabbing, disfigurement with toxic chemicals, shooting at close range and blunt trauma with a baseball bat. While the Commission's mission is to examine domestic violence fatalities, for prevention purposes the Commission also notes trends and patterns in near fatalities.

According to the Commission data covering 1994 – 2007, 50% of all Vermont homicides during the past thirteen years are domestic violence related. In addition when the data incorporates suicides that followed domestic violence related homicides (i.e. murder/suicides) and suicides prompted by domestic violence, the

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<sup>2</sup> One additional case under investigation involves a child fatality and is not reflected in the 11 as the matter is referred to the Child Fatality Review Team per the Commission's Protocol.

percentage increases to 63%. 57% of Vermont's domestic violence related homicides are committed with firearms and 78% of the suicides associated with the homicides (i.e. murder/suicides) and domestic violence are committed with firearms.

### **Other Vermont Data for 2007**

According to the 2006 Vermont Crime Report compiled by the Department of Public Safety and released in September of 2007, in Vermont the total amount of overall crime increased 5.7% which was a reversal from the prior decline of five years. The violent crime index increased 12.2%, forcible rape increased 5.4% and aggravated assaults increased 7%. The Vermont violent crime index for 2006 illustrates that 95% of the violent crime cases involved intimate partners, family members or acquaintances. Additional information about the Crime Report can be found at: [www.dps.state.vt.us/cjs/crime\\_06/](http://www.dps.state.vt.us/cjs/crime_06/)

The Vermont Department of Health 2007 Youth Risk Behavior Survey, surveyed 28,918 Vermont students at 144 schools in eighth through twelfth grade. In the 2007 Survey, seven percent (7% or 2024) of the students reported that they were hit, slapped or physically hurt by a boyfriend or girlfriend. Eleven percent (11% or 3180) of the students reported that they have been touched against their wishes or forced to touch someone else sexually. Female students were over three (3) times more likely than male students to report being touched against their wishes or forced to touch someone sexually (17% v. 5%). More information about Vermont's Youth Risk Behavior Survey is found at: [www.healthvermont.gov/pubs/publications.aspx](http://www.healthvermont.gov/pubs/publications.aspx).

According to the Vermont Department of Corrections, one thousand two hundred and seventy two (1272) persons were under the supervision of Corrections<sup>3</sup> as of June 30, 2007 for domestic violence related offenses<sup>4</sup>. Of those offenders, 292 were incarcerated, 737 were on Probation and 243 were either on Parole or furlough statuses. Of the overall population of persons under Corrections' supervision (12,559), the portion of those persons whose charges relate to domestic violence is approximately ten percent (10%). Importantly, this number only reflects persons for whom the designated domestic violence offense is the most serious offense. The Department cautions that there may be uncounted domestic abuse offenders with other charges that are deemed more serious by Corrections for classification purposes. For additional information regarding Department of Corrections data see [www.doc.state.vt.us/about/reports/ff/2007](http://www.doc.state.vt.us/about/reports/ff/2007).

During 2007, the sixteen member programs of the Vermont Network Against Domestic and Sexual Violence ("the Network") received and responded to fifteen thousand two hundred and fifty nine (15,259) hotline calls. The Network's member programs sustained a twenty-seven percent (27%) increase in bed-nights which reflects an increase of 7,036 bed-nights from 2006. Six hundred and twenty two (622) survivors were housed in shelters and safe homes statewide. Eight thousand three hundred and thirty seven (8,337) victims of domestic violence and one thousand two hundred and five (1,205) victims of sexual violence reached out to the Member Programs of the Network. Eight thousand one hundred and eighty four

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<sup>3</sup> Under the supervision of the Department of Corrections includes: prison; reentry; pre-approved furlough; supervised community sentence; parole; and probation.

<sup>4</sup> The offenses include domestic assault; violations of relief from abuse orders; aggravated domestic assault; and stalking.

(8,184) children and youth were identified by the Network as having been exposed to violence in their homes.

During 2007, the Vermont Department for Children and Families, Family Services ("DCF") Division received one thousand seven hundred and seventy-six (1,776) intake calls that identified co-occurring domestic violence and child maltreatment. Four hundred and fifty-eight (458) of these intakes were accepted and opened for investigation, resulting in one hundred and twelve (112) substantiations of child maltreatment. Staff in the DCF, Family Services Division, Domestic Violence Unit provided five hundred and one (501) hours of direct service to adult and child victims and one thousand seven hundred and seventy-six (1,776) hours of case consultation to Family Services staff and community service providers.

According to the Office of Court Administrator, nine hundred and ninety two (992) domestic assault charges (felony and misdemeanor) were disposed of in the fiscal year of 2006 which ends June 30, 2007. Of those charges, four hundred and ninety seven (497) resulted in convictions. According to the Office of Court Administrator, three thousand eight hundred and thirty nine (3,839) relief from abuse orders were disposed of during the same time period.

The Bennington County Domestic Violence Court started to hear cases in September of 2007. The Court was designed as a "one family one judge" concept allowing a single judge to hear a family's related cases when the underlying issues are domestic violence. This integrated docket coordinates family and criminal matters. The Court strives to better serve the needs of the community by ensuring victim safety, improving the courts efficiency and addressing offender accountability. The Court seeks to promote more informed judicial decision making, consistency in court orders and to provide services to the litigants and their families. The Bennington Court has been established as a pilot program to evaluate the possibility of implementing further integrated domestic violence courts throughout the state.

As part of the statewide standards and certification process adopted by the Council, through December of 2007, the Batterer Accountability Committee of the Vermont Council on Domestic Violence reviewed eight batterer intervention programs which serve eleven Vermont counties. Seven of those programs were certified serving ten counties. Reviews for two existing programs are pending and one new program has applied for certification and is currently under review.

The Commission asks all Vermonters to review this report and provide us with comments and suggestions as we continue to study the trends and patterns of domestic violence and related fatalities. The Commission encourages community members to refer cases for the Commission to review. A case referral form is attached as Appendix D.

Finally, the Commission invites all Vermonters to attend the Commission's June 9, 2008 Conference in Killington, VT entitled "Before It's Too Late: Taking Action to Prevent Domestic Violence Homicides in Vermont Communities". As noted above, a Save the Date notice is attached as Appendix F. The Commission is dedicated to playing an integral role in the coordinated community response to domestic violence with the hope of reducing fatalities and improving Vermont's strategies for

intervention and prevention. Please join us in our efforts to make Vermont communities safer.

**SUMMARY OF 2007 DATA**

<b>Total Homicides - 11</b>		<b>Responsible Party</b>	
Domestic Violence Related	7	Female	0
Female victims	2	Male	7
Male Victims	5		
<b>Relationship</b>			
Partner	1	Household Member	2
Ex-Partner	2	Other Domestic Violence Related	0
Family Member	2		
<b>County Distribution</b>			
Addison	0	Lamoille	0
Bennington	2	Orange	0
Caledonia	1	Orleans	0
Chittenden	1	Rutland	2
Essex	0	Washington	0
Franklin	1	Windham	0
Grand Isle	0	Windsor	0
<b>Crime</b>			
Firearm	5	Stabbing	1
Fire	0	Blunt Trauma	1
Strangulation	0	Motor Vehicle	0
Drowning	0		
<b>Children Present</b>			
In residence			7
<b>Locations of Homicides</b>			
In residence	6		
In workplace	0		
In public place	1		
<b>Domestic Violence Related Homicides</b>			64 %
<b>Domestic Violence related Homicides including three suicides</b> (Note: All three suicides were caused by firearms)			91%

Note: "Other Domestic Violence Related" is defined as a homicide where the responsible party and the victim fit none of the above relationships but the fatality is related to domestic violence (e.g. estranged spouse kills ex-spouse's current intimate partner, law enforcement officer kills person while responding to a domestic violence incident). Please see page 8 for additional Commission definitions.



**HOMICIDE AND DOMESTIC VIOLENCE RELATED FATALITIES CHART 1994-2007**

<b>Year</b>	<b>Total # Homicides</b>	<b>Partner</b>	<b>Ex-Partner</b>	<b>Family Member</b>	<b>Household Member</b>	<b>Other DV Related</b>	<b>Total # DV</b>	<b>Total % DV</b>
2007	11 <sup>1</sup>	1	2	2	2	0	7	64%
2006	15	2	1	1	1	1	6	40%
2005	12 <sup>2</sup>	0	0	0	0	2	2	17%
2004	10 <sup>3</sup>	3	1	0	0	0	4	40%
2003	15	1	2	4	1	2	10	66%
2002	10 <sup>4</sup>	1	0	0	0	0	1	10%
2001	13 <sup>5</sup>	0	0	3	1	1	5	38%
2000	16 <sup>6</sup>	3	1	2	0	2	8	50%
1999	18 <sup>7</sup>	2	1	3	2	2	10	56%
1998	12 <sup>8</sup>	3	2	1	0	1	7	58%
1997	11 <sup>9</sup>	2	1	2	0	2	7	64%
1996	12 <sup>10</sup>	1	2	2	1	2	8	67%
1995	13 <sup>11</sup>	6	0	0	0	1	7	54%
1994	7 <sup>12</sup>	1	1	1	0	2	5	71%
<b>TOTAL</b>	175	26	14	21	8	18	87	50 %

<sup>1</sup> One case under investigation involves a child fatality and is not reflected in the 11 as the matter was referred to the Child Fatality Review Team. Also, in addition to the 11, 3 responsible parties committed suicide following the homicides.

<sup>2</sup> 1 homicide remains under investigation and is reflected in the total number of homicides but the Commission is unable to determine at this time if it is domestic violence related. The data will be updated when further information is available.

<sup>3</sup> One additional case under investigation involves a child fatality and is not reflected in the 10 as the matter would be referred to the Child Fatality Review Committee per the Commission's protocol. Also, in addition to the 10 cases, 1 responsible party committed suicide following the homicide.

<sup>4</sup> 1 case remains under investigation and is reflected in the total number of homicides but the Commission is unable to determine if it is domestic violence related. The data will be updated when further information is available.

<sup>5</sup> 1 case remains under investigation and is reflected in the total number of homicides but the Commission is unable to determine if it is domestic violence related. The data will be updated when further information is available.

<sup>6</sup> In addition to these 16 cases, 1 responsible party committed suicide following the homicide.

<sup>7</sup> In addition to these 18 cases, 2 responsible parties committed suicide following the homicides. 1 case remains under investigation and is reflected in the total number of homicides but the Commission is unable to determine if it is domestic violence related. The data will be updated when further information is available.

<sup>8</sup> In addition to these 12 cases, 3 responsible parties committed suicide following the homicides.

<sup>9</sup> In addition to these 11 cases, 2 responsible parties committed suicide following the homicides.

<sup>10</sup> In addition to these 12 cases, 3 responsible parties committed suicide following the homicides. Also, 1 case remains under investigation and is included in the total homicide number but not the domestic violence number. The data will be updated when further information is available.

<sup>11</sup> In addition to these 13 cases, 4 responsible parties committed suicide following the homicides and 2 cases remain under investigation and are included in the total homicide number but not in the domestic violence number. The data will be updated when further information is available.

<sup>12</sup> In addition to these 7 cases, 1 responsible party committed suicide after the homicide.

## DEFINITIONS

**DV** – Domestic Violence

**Partner** – Homicide where the responsible party and victim are intimate or dating partners (e.g. spouse kills spouse, boyfriend kills girlfriend)

**Ex-Partner** – Homicide where the responsible party and victim were intimate partners formerly but are not currently (e.g., divorced spouse kills spouse, ex-girlfriend kills ex-boyfriend)

**Family Member** – Homicide where the responsible party and the victim were not intimate partners or dating partners but are family members

**Household Member** – Homicide where responsible party and victim currently or formerly lived in the same household but were not intimate or dating partners or family members (e.g., child living with non-related caregiver)

**Other Domestic Violence (DV) Related** – Homicide where the responsible party and the victim fit none of the above relationships but the fatality is related to domestic violence (e.g. estranged spouse kills ex-spouse's current intimate partner, law enforcement officer kills person while responding to a domestic violence incident)

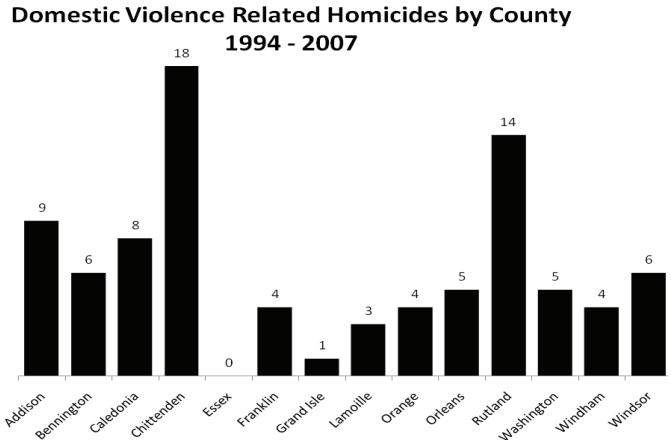
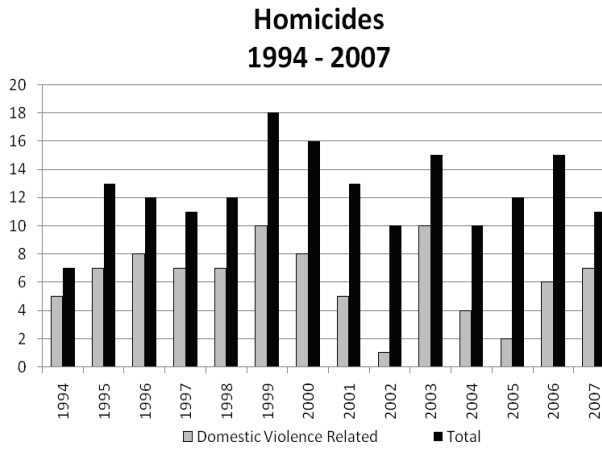
**Responsible Party** – The responsible party is the person to whom the fatality can be attributed. It is a broader term than defendant or perpetrator. For example, it may include a convicted defendant, a battered spouse who was not charged with the fatality due to self-defense or a police officer responding to a domestic violence incident that kills one of the parties in the course of his/her duty.

### SUMMARY OF DATA FROM 1994 – 2007

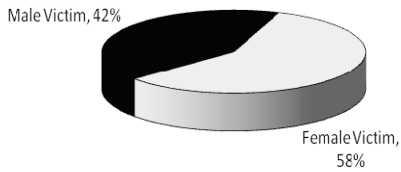
Homicides	Total – 175	
Domestic Violence Homicides	Total 87 or 50%	Responsible Party
	• Female victims 48	• Female 14
	• Male Victims 39	• Male 73
Relationship	Partner 26	Household Member 8
	Ex Partner 14	Other Domestic Violence Related 18
	Family Member 21	
County Distribution	Addison 9	Lamoille 3
	Bennington 6	Orange 4
	Caledonia 8	Orleans 5
	Chittenden 18	Rutland 14
	Essex 0	Washington 5
	Franklin 4	Windham 4
	Grand Isle 1	Windsor 6
Manner of Homicide	Firearm 50	Strangulation 5
	Stabbing 11	Motor Vehicle 1
	Fire 2	Blunt Trauma & Strangulation 1
	Blunt trauma 12	Other 5
Children Present	At crime scene 24	Aware of crime scene immediately before or after the fact 6
Law Enforcement Related Cases	3 (3 cases where domestic violence suspects were killed by law enforcement)	
Suicides related to domestic violence	Total: 23 <sup>14</sup>	Female 2
		Male 21
	Firearm 18	Asphyxia by Fire 1
	Stabbing 1	Asphyxia by Carbon Monoxide 1
	Hanging 1	Jump/Fall 1

<sup>14</sup> When these suicide figures are combined with the domestic violence related homicide numbers for 1994 – 2007, the percentage of homicides that are domestic violence related is 63%.

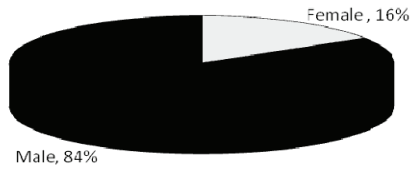
## DOMESTIC VIOLENCE RELATED HOMICIDE CHARTS 1994-2007



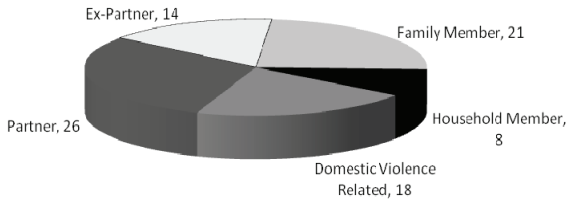
### Gender of Victim in Domestic Violence Related Homicide



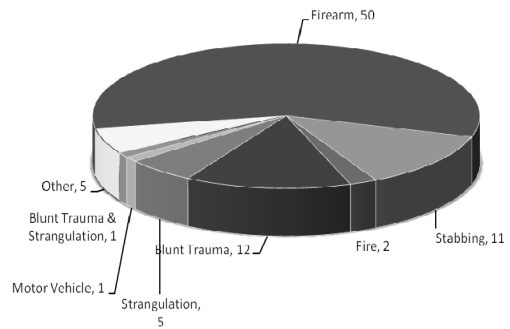
### Gender of Responsible Party in Domestic Violence Related Homicide



### Domestic Violence Related Homicides 1994-2007 Relationship of Victim to Responsible Party (Terms defined on Page 8)



### Domestic Violence Related Homicides 1994-2008 Method



## **SUMMARY OF PREVIOUS COMMISSION CASE REVIEWS**

During 2004, 2005 and 2006, the Vermont Domestic Violence Fatality Review Commission completed in-depth reviews of domestic violence fatalities. In the reviews, we heard from a variety of witnesses including surviving family members, co-workers, social service, law enforcement and prosecuting agencies. We also reviewed documents provided by government agencies and families. Pursuant to 15 V.S.A. Section 1140, the purpose of the Commission includes identifying strengths and weaknesses in systemic responses to domestic violence and making recommendations that will encourage collaboration, intervention and prevention. Below please find relevant data regarding the completed case reviews and the status of the Commission's previous recommendations.

## **STATUS OF RECOMMENDATIONS**

The Commission made recommendations reflecting issues common to cases. We identify relevant professions and agencies that may be able to incorporate our recommendations in their practices and protocols. We encourage these groups to give careful consideration to these recommendations and we welcome the opportunity to discuss our recommendations further with these entities.

In no way did the Commission intend to imply that any agency or policy is responsible directly or indirectly for these deaths. The goal of the Commission in making these recommendations and determining the system's response is to increase the safety of all Vermonters.

The Commission is very encouraged by the Vermont legislature's attention to the issue of domestic violence during the 2007-2008 legislative biennium. The Senate Judiciary Committee devoted much of the committee's time in 2007 to exploring the problem of domestic violence in Vermont. The committee in January of 2008 introduced an omnibus bill (S.357) which is working its way through the legislature. The bill addresses concerns that the Commission identified in our recommendations, and we are hopeful that the changes and funding proposed in the legislation will have a lasting impact on Vermont's response to domestic violence.

### **- Community: Bystander Education Campaign**

#### **Recommendation:**

- A public awareness and education prevention campaign should be implemented which will help community members become more sensitive to issues of domestic violence and teach Vermonters how to intervene and assist. The campaign should take a broad community approach and teach all community members how they can become pro-social bystanders and participate in community change. The campaign should also include schools and males as a focus. The Commission encourages the Governor's Council on Domestic Violence, the Vermont Network Against Domestic and Sexual Violence and the local Domestic Violence Task Forces to join with universities, schools, and civic groups such as the White Ribbon Campaign (discussed below) to implement this community education and awareness campaign. Finally, the Commission

recommends that the State consider funding this statewide preventative campaign.

**Response:**

The Commission is sponsoring a conference in order to begin a discussion regarding a bystander education and awareness program in Vermont. Thanks to the generous financial assistance of the Vermont Center for Crime Victim Services, the Commission is holding a statewide conference on June 9, 2008 that will highlight the work of the Commission and specifically this recommendation regarding implementing a public awareness campaign regarding bystander and witnessing issues. In 2007, the Commission spent a significant amount of time preparing for its June 9<sup>th</sup> Conference. A Save the Date Card for the Conference entitled "Before It's Too Late: Taking Action to Prevent Domestic Violence Homicides in Vermont Communities" is attached as Appendix F.

Three national speakers will be joining us to review the work of the Commission and provide us with insight as to how to reduce the prevalence of violence in our communities, increase collaboration and forge new partnerships. Neil Websdale, Dr. David Adams and Robert Eckstein will be joining us on June 9, 2008 in Killington.

- Dr. Neil Websdale is Professor of Criminal Justice at Northern Arizona University and Principal Project Advisor to and former Director of the National Domestic Violence Fatality Review Initiative. He has published work on domestic violence, the history of crime, policing, social change, and public policy. Dr. Websdale has published four books including: *Rural Woman Battering and the Justice System: An Ethnography* (Sage Publications), 1998, which won the Academy of Criminal Justice Sciences Outstanding Book Award in 1999; *Understanding Domestic Homicide* (Northeastern University Press), 1999; *Making Trouble: Cultural Constructions of Crime, Deviance, and Control* (Aldine Books, co-edited with Jeff Ferrell), 1999; and *Policing the Poor: From Slave Plantation to Public Housing* (Northeastern University Press), 2001, winner of the Academy of Criminal Justice Sciences Outstanding Book Award in 2002 and the Gustavus-Myers Center for the Study of Bigotry and Human Rights Award in 2002. He is currently working on a book tentatively entitled Familicidal Hearts, due to be published by Oxford University Press in 2008.

His social policy work consists of helping establish a national network of domestic violence fatality review teams. He has also worked on issues related to community policing, full faith and credit, and risk assessment and management in domestic violence cases.

- Dr. David Adams is co-founder as well as Co-Director of Emerge, the first counseling program in the *nation* for men who abuse women, established in 1977. Dr. Adams has led groups for men who batter for 30 years and has led parenting education classes for fathers for 6 years. He is one of the nation's leading experts on men who batter and has conducted trainings of social service and criminal justice professionals in 41 states and 11 nations. He has published numerous articles and book chapters, including "Identifying the Assaultive Husband in Court: You Be the Judge", published in the Boston Bar Journal. Dr. Adams is past Co-Chair of the Justice and Accountability Committee (the criminal justice committee) of the Governor's Commission on

Sexual and Domestic Violence, and is Coordinator of the National Danger Assessment Training Project. His book, "Why Do They Kill? Men Who Murder Their Intimate Partners" was published by Vanderbilt University Press in September 2007.

- Finally, Robert Eckstein is an adjunct professor of psychology at the University of New Hampshire for both the Department of Psychology and the Justice Studies Program, where he also serves as the coordinator of field education. He is the co-author of Bringing in the bystander: A prevention workshop for establishing a community of responsibility, an educational program aimed at implementing bystander intervention as a means of preventing violence against women. He has presented this workshop, as well as trained others on becoming program facilitators at a variety of universities and government agencies throughout the country.

Please join us June 9, 2008 in Killington to commence our work together.

The Commission notes that the Senate Judiciary Committee heard testimony from a representative of Comcast Communications about the possibility of doing a statewide public awareness campaign about domestic violence and its impact on Vermont communities. We are hopeful that future legislative funding may be available to sponsor a statewide campaign in conjunction with the Commission, the Council, Comcast and other communications providers.

## **Vermont Employers**

### **Recommendation:**

- The Commission encourages all Vermont employers to review their existing workplace domestic violence policies and to consider adopting policies if none exist and train all employees.

### **Response:**

Drawing on the new collaborative Memorandum of Understanding between the Commission and the Vermont Council on Domestic Violence, both entities are reviewing a plan to work together on implementation of this recommendation.

The Commission and Council intend to draw on the work already accomplished by the Vermont Attorney General's Office Domestic Violence and the Workplace Initiative, the Agency of Human Services Domestic Violence Initiative as well as the City of Burlington's domestic violence training and workplace policy work.

The Commission and Council commend these agencies for their work on this critical public safety issue. They encourage all Vermont employers, public and private, to follow their lead and address the effects of domestic violence in the workplace. National information regarding this topic can be found at the Family Violence Prevention Fund at [www.fvvpf.org](http://www.fvvpf.org).

## **Department of Corrections (DOC), Law Enforcement and Prosecution**

### **Recommendation:**

- Communication between law enforcement and probation and parole should be improved when a defendant is being supervised in the community and when DOC is contemplating a discharge of the defendant from supervision.
- Specifically while a defendant is being supervised in the community there should be an automatic referral by law enforcement to DOC regarding any involvement or contact with the defendant. The Commission notes that this contact would be initiated by law enforcement.
- A standard condition of probation should be added requiring an offender under community supervision to notify his or her probation officer of any law enforcement interaction. The Commission notes that conditions of probation are set by statute and ordered by the presiding judge. While awaiting a statute change to accomplish this, the Commission recommends that the prosecuting attorneys consider recommending this specific condition as a special condition of probation for domestic violence offenders.
- Before considering submitting a petition for an offender's discharge from supervision, the DOC officer should run criminal record checks (Vermont, New England and Federal), and contact law enforcement for information about illegal activities, contacts with law enforcement and motor vehicle incidents.
- DOC should notify a homicide victim's family of the offender's facility changes including out of state transfers and parole status and parole hearings in a timely manner.
- DOC should consider adding domestic violence related homicides to the Department's Sensitive Notification list.

### **Response:**

DOC works with local law enforcement in every community to create and maintain open channels of communication pertaining to public safety with regard to supervision of offenders.

DOC makes contact with a homicide victim's family to ascertain their wishes about being contacted about offender movement and transfer statuses. Once a request for such contact is made, the family will be notified in a timely manner and be eligible for services through the Victims Services program.

DOC added domestic violence related homicides to the Department's Release Sensitive Notification list in 2006.

DOC is in the process of implementing a state of the art information notification system with a grant award.

## **Courts**

### **Recommendation:**

- Regarding the Relief from Abuse Process in Vermont, the Office of Court Administrator should provide judges and clerks training regarding firearms and relief from abuse orders and the federal Gun Control Act.
- The Office of Court Administrator should consider providing judicial education regarding dangerousness/lethality factors in domestic violence cases.

### **Response:**

The Court Administrator's Office and the Commission continue to work together on trainings relating to domestic violence, sexual assault and stalking issues.

The federal Gun Control Act prohibits a domestic violence offender who is subject to a relief from abuse order or convicted of a qualifying domestic violence offense or felony from possessing or purchasing a firearm or ammunition. (Section 922(g)(8) and (g)(9) of Title 18, United States Code). The Office of Court Administrator amended their court forms and practices to update their notification language for all litigants regarding this federal requirement.

The Court Administrator's Office is reviewing the protection order process and has created and implemented a new education program for pro se litigants. Commission members assisted the Office with their pro se education program. As part of the Court's pro se education program, the Court Administrator's Office produced a CD that is shown to all plaintiffs and defendants in relief from abuse hearings. The Court incorporated language relating to the federal gun control act firearm relinquishment in their presentation.

Finally, the Commission met with the Office of Court Administrator and was advised of the current training opportunities given to the Vermont Judiciary and discussed the additional opportunity of working with the integrated Bennington Domestic Violence Court regarding using risk assessment tools and practices. The Commission extended an invitation to the judiciary for the Commission's June 9<sup>th</sup> 2008 conference as well.

## **Law Enforcement**

### **Recommendation:**

- Regarding death notification by law enforcement, the Commission recommends the police adopt a protocol that provides support services to the surviving family members at the time of the notification and coordinates interactions with the Office of Medical Examiner. The police should also consider having a victim advocate present at the time of notification.



- During the death investigation, the Commission encourages law enforcement to consider the circumstances of where and when they interview surviving family members and adopt a protocol that would create a supportive environment for these interviews.

**Response:**

The Vermont State Police have adopted a policy that addresses the sensitive needs of victims of crime. It is in their Rules and Regulations Section, CHAPTER 15, Other Related Activities, ARTICLE IV Victim's Assistance.

The purpose is to improve the treatment of victims of crime by providing them with the assistance and services necessary to ensure that they are treated with courtesy and sensitivity by law enforcement personnel and to prevent further victimization by the criminal justice system.

Pursuant to the policy, Officers will be familiar with the Victim's Assistance Act, 13 V.S.A. Chapter 167, and should refer victims to the advocate at the appropriate State's Attorney's office. Officers will also be familiar with 13 V.S.A. §§5351-5358, compensation to victims of crime, and will make the victim aware of this section by providing a Support Services Directory.

Pursuant to the policy, death notifications are made with at least two members of the Department and they are encouraged to have the local victims advocate with them to assist in providing the surviving family members with information related to the investigation as well as explaining the court process to them. Contact information for the lead investigator, their supervisor and the victim advocate are given to the family members. Officers are encouraged to locate family friends or clergy to be with the victim after the initial notification has been made.

**Prosecution**

**Recommendation:**

- The Commission recommends that the victim advocate in the prosecutor's office stay in touch with surviving family members after the case is resolved to assure they are coping.

**Response:**

This recommendation was presented to the State's Attorney's victim advocates.

**Courts and Prosecutors**

**Recommendations:**

- Courts and prosecutors should create a process to expedite arrest warrant issuance in domestic violence cases.

- Once arrest warrants are issued, courts and/or prosecutors should notify arresting officer(s) and victim(s) of the issuance of the arrest warrants.

**Response:**

The recommendation was distributed to the Office of the Court Administrator and the State's Attorneys' Association. The chair of the Fatality Review Commission met with an administrator from the Courts and discussed the implementation of this recommendation. The Chair of the Commission and the Court Administrator's office are working together to draft a protocol to improve communication between all the interested parties regarding the issuance and service of domestic violence warrants. The goal of the protocol is to prevent bureaucratic errors that could result in escalating the lethality in interpersonal violence cases.

**Recommendation:**

- Vermont statutes should be amended to ensure that Guardianship and Custody cases for children fall under the jurisdiction of the Family Court rather than Probate Court.

**COMMENT AND RESPONSE:**

The Commission concluded that in fatalities that result in the custody of children being in question, the best practice would be for these matters to be heard by Family Court where services would be available to the children. The Representative from the Governor's Council on Domestic Violence discussed this recommendation with a county Probate Judge. The recommendation was favorably received. The recommendation was also presented to and discussed by the Department for Children and Families and the Court Administrator's Office. Although the response was supportive, because the recommendation will require legislative action, further steps need to be taken. The Chair of the Commission presented this recommendation to the Senate Judiciary Committee for their consideration in February of 2007.

**Prosecutors**

**Recommendations:**

- In the case of a domestic violence fatality, a referral should be made for victim's compensation funds for the affected children and such claim should be filed through the victim's advocate in the prosecutor's office.
- Notification should be made to the affected children's' school or childcare regarding the domestic violence fatality by the victim advocate in the prosecutor's office.
- The victim advocate in the prosecutor's office should work with the custodian of the affected children providing support that could include referrals to mental health counseling.

**Response:**

The Report and the recommendation were presented to the victim advocacy community.

**Recommendations:**

- Arrest warrant lists should be made available to police officers prioritized with violent offense and domestic violence offense arrest warrants at the top and federal arrest warrants should be included in the lists for cross-reference.
- Law enforcement should adopt a county-based system that provides all police agencies within the county monthly arrest warrant list updates that reflect both the issuing court and the county of the defendant's residence.
- Law enforcement agencies should establish a policy that encourages officers to look for persons on arrest warrant lists on a periodic basis.
- Dispatchers should run a more in-depth search, such as an F2 super query, in all cases when running a motor vehicle license information request from law enforcement.

**Response:**

The Commission's Department of Public Safety representative has been working to implement these recommendations with the dispatchers and those in law enforcement that maintain the arrest warrant lists.

**Law Enforcement and Domestic Violence Advocates****Recommendations:**

- Police Departments should adopt a Domestic and Sexual Violence protocol designed with their local Network program which includes effective follow-up policies for domestic violence cases when a defendant has not been apprehended or evades service. The protocols should be updated annually.
- Domestic violence programs and local law enforcement agencies should work to develop a professional relationship that supports communication and discussion around particular issues of concern. Opportunities should be considered for regular regional meetings and cross training on issues related to domestic violence, including how to make referrals to domestic violence programs.

**Response:**

The Network Against Domestic and Sexual Violence has begun to investigate which Programs have current protocols with their local law enforcement agency. The Network's goal is to create a domestic violence protocol template and distribute that to Programs who do not have existing protocols.

## **Emergency Services**

### **Recommendation:**

- Establishment of an enhanced cell phone locator identification system should be made available statewide.

### **Response:**

The Commission will continue to work on the adoption of this system with the Emergency Services personnel. Future and current technology advances and changes will affect the implementation of this system.

## **Interpreters**

### **Recommendation:**

- Interpreters should be provided at every stage of a criminal case to assure due process including initial investigation, court proceedings and case preparation.

### **Response:**

The Vermont Supreme Court's Committee on Fairness and Equal Access to Justice Sub-Committee on Court Interpreters has been working on implementing the recommendations to improve access and the quality of all interpreters. Currently there is a clear understanding of ADA obligations for interpreter services for Deaf and hard of hearing plaintiffs and defendants. For people with limited English proficiency, access to Language Line Services has been expanded at the Courts. In addition, the sub-committee is conducting trainings for interpreters so that they can be qualified to act as interpreters in court settings. The goal is to gather a statewide registry of qualified interpreters that would be available for all parties. The Judiciary has also been conducting trainings for Judges and court staff on best practices for appointing and using interpreters.

## **Domestic Violence Advocates**

### **Recommendation:**

- Domestic violence programs and support agencies (such as local law enforcement, Family Services Division, mental health providers, etc.) should work together to create letters of agreement or Memoranda of Understanding which address how to make referrals to local domestic violence programs and establish protocols for support agencies that wish to call a domestic violence hotline on a victim's behalf.

### **Response:**

Many domestic violence programs already have Memoranda of Understanding or Letters of Understanding in place with their local support agencies. However, the Network has met with Program directors to discuss this issue further. The goal of

these discussions is to create a Memorandum of Understanding or Letter of Agreement template that will then be passed along to Programs to use and/or modify with their local support agencies.

**Recommendation:**

- Domestic Violence programs should agree to release confidential information to the Fatality Review Commission regarding a deceased victim of domestic violence whom they had contact with. In this vein, programs should adopt a procedure between staff and clients that elicits a dialogue regarding the potential sharing of confidential client information in the event of the client's death.

**COMMENT AND RESPONSE:** The Commission appreciates the careful consideration that the Network domestic violence programs have given this issue. Pursuant to 15 V.S.A. Section 1140, the Commission is a confidential body and its proceedings are not subject to subpoena, discovery or introduction into evidence in a criminal or civil action. Currently Network member programs' confidentiality policies preclude sharing confidential information about service users despite the Commission's statutory confidentiality provision.

**Community Resources**

**Recommendation:**

- Countywide financial support services for victims of domestic abuse (e.g., childcare, emergency funds, transportation, food, jobs, education, housing, health care, etc.) should be created. The domestic violence programs and the local domestic violence task forces should work together to address immediate economic issues for victims and their families.

**COMMENT AND RESPONSE:** The Commission notes that in both review cases economic issues appeared to restrict the choices of the victims. The Commission encourages local advocates to collaborate on ways to get real dollars and resources in the hands of folks who need immediate assistance to establish safety. The Commission is encouraged by the Vermont Network Against Domestic and Sexual Violence's newly staffed position entitled Economic Justice Coordinator and we look forward to collaborating with this Coordinator on these critical issues.

**Recommendation:**

- Local domestic violence task forces should consider convening community forums to discuss issues of violence in their community and to strategize how to create a wider and more accessible safety net for all. The forums should include a wide base of community partners such as: schools, medical community, domestic violence advocates, child advocates, law enforcement, prosecutors, defense attorneys, private attorneys, corrections, child protection agencies, child care providers, universities and colleges, municipal employees, legislators, judges, court employees, business owners, chambers of commerce, etc.

**RESPONSE:**

The Commission hopes that the June 9, 2008 Conference in Killington will assist local domestic violence task forces in accomplishing this goal. The attendees will leave the conference with tool kits that they can take back to their communities that will hopefully assist them in their local efforts.

**CONCLUSION**

Vermont's Domestic Violence Fatality Review Commission is encouraged by the steps taken in response to our recommendations and looks forward to continuing our work. Many agencies, non-profit organizations and individuals have engaged in substantial work to improve the community-based response to domestic violence. The goal of the Commission is to act as a catalyst for efforts to improve Vermont's communities and together to prevent future incidents of domestic violence related fatalities. We thank all of our partners for their conscientious efforts. The Commission looks forward to continuing this critical work together to improve the safety and well being of all Vermonters.

## APPENDIX A

### NO. 88. AN ACT RELATING TO THE DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION.

#### (H.728)

It is hereby enacted by the General Assembly of the State of Vermont:  
Sec. 1. 15 V.S.A. chapter 21, subchapter 2 is added to read:

#### Subchapter 2. Domestic Violence Fatality Reviews

#### § 1140. DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION

(a) The domestic violence fatality review commission is established within the office of the attorney general, in consultation with the council on domestic violence, for the following purposes:

(1) To examine the trends and patterns of domestic violence-related fatalities in Vermont.

(2) To identify barriers to safety, the strengths and weaknesses in communities and systemic responses to domestic violence.

(3) To educate the public, service providers and policymakers about domestic violence fatalities and strategies for intervention and prevention.

(4) To recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.

(b) The commission shall be comprised of 15 members, consisting of the following:

(1) the attorney general, or his or her designee;

(2) the commissioner of the department of health, or his or her designee;

(3) the commissioner of social and rehabilitation services, or his or her designee;

(4) the commissioner of the department of corrections, or his or her designee;

(5) the commissioner of the department of public safety, or his or her designee;

(6) the chief medical examiner, or his or her designee;

(7) a state's attorney with experience prosecuting domestic violence cases, appointed by the executive director of the Vermont state's attorneys' association;

(8) the defender general, or his or her designee;

(9) a member of the Vermont coalition of batterer intervention services;

(10) a member of the Vermont network against domestic violence and sexual assault;

(11) a representative of the Vermont council on domestic violence;

(12) a representative of local law enforcement, appointed by the governor;

(13) a victim or survivor of domestic violence, appointed by the Vermont network against domestic violence and sexual assault;

(14) a physician, appointed by the governor; and

(15) the executive director of the Vermont criminal justice training council, or his or her designee.

(c) In any case subject to review by the commission, upon written request of the commission, a person who possesses information or records that are necessary and relevant to a domestic violence fatality review shall, as soon as practicable, provide the commission with the information and records. A person who provides information or records upon request of the commission is not criminally or civilly liable for providing information or records in compliance with this section. The commission shall review fatalities which are not under investigation and fatalities in cases that are post adjudication which have received a final judgment.

(d) The proceedings and records of the commission are confidential and are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action. The commission shall disclose conclusions and recommendations upon request, but may not disclose information, records or data that are otherwise confidential, such as autopsy records. The commission shall not use the information, records or data for purposes other than those designated by subsections (a) and (g) of this section.

(e) The commission is authorized to require any person appearing before it to sign a confidentiality agreement created by the commission in order to maintain the confidentiality of the proceedings. In addition, the commission may enter into agreements with nonprofit organizations and private agencies to obtain otherwise confidential information.

(f) Commission meetings are confidential, and shall be exempt from chapter 5, subchapter 2 of Title 1 (open meetings law). Commission records are confidential, and shall be exempt from chapter 5, subchapter 3 of Title 1 (public access to records).

(g) The commission shall report its findings and recommendations to the governor, the general assembly, the chief justice of the Vermont supreme court, and the Vermont council on domestic violence no later than the third Tuesday in January of the first year of the biennial session. The report shall be available to the public through the office of the attorney general. The commission may issue data or other information periodically, in addition to the biennial report.

#### Sec. 2. EFFECTIVE DATE

This act shall take effect upon passage, and shall terminate upon termination of grant funding, administered by the Vermont center for crime victim services, from the Violence Against Women office of the United States Department of Justice for an assistant attorney general assigned to the criminal division and designated as a domestic violence coordinator.

Approved: May 2, 2002



## **APPENDIX B - COMMISSION DEFINITION OF DOMESTIC VIOLENCE RELATED FATALITY**

When determining whether a fatality is domestic violence related for data collection and/or full case review, the Executive Committee and the full Commission may consider the following criteria.

Whether:

- a. the alleged perpetrator was related to the victim as a "family member" according to the "plain and commonly accepted meaning" of the term. Donley v. Donley 165 Vt. 619 (1996);
- b. the alleged perpetrator and victim qualify as having a reciprocal beneficiaries relationship as defined at 15 VSA Section 1303<sup>5</sup> and as noted as "family" in the Abuse Prevention statute at 15 VSA Sec 1101(6)<sup>6</sup>;
- c. the alleged perpetrator and victim were related as "household members" under the Abuse Prevention Act at 15 VSA Sec 1101(2)<sup>7</sup>;
- d. the alleged perpetrator killed an estranged partner's current "household member"<sup>8</sup>;
- e. the alleged perpetrator killed a current partner's estranged "household member"<sup>9</sup>;
- f. the alleged perpetrator killed a family member's current or estranged "household member";<sup>10</sup>
- g. the alleged perpetrator killed bystander(s) while attempting to harm family or "household members";
- h. the alleged perpetrator is a law enforcement officer forced to kill in the line of duty when responding to a domestic violence incident;
- i. a law enforcement officer is killed in the line of duty when responding to a domestic violence incident;
- j. the fatality is domestic violence related but is ruled a justifiable homicide;

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<sup>5</sup> For a reciprocal beneficiaries relationship to be established in Vermont, it shall be necessary that the parties satisfy all of the following criteria: (1) be at least 18 years of age and competent to enter into a contract; (2) Not be a party to another reciprocal beneficiaries relationship, a civil union or marriage; (3) Be related by blood or by adoption and prohibited from establishing a civil union or marriage with the other party to the proposed reciprocal beneficiaries relationship; (4) Consent to the reciprocal beneficiaries relationship without force, fraud or duress. 15 VSA Sec. 1303

<sup>6</sup> "Family" shall include a reciprocal beneficiary. 15 VSA 1101 (6)

<sup>7</sup> "Household members" means persons who, for any period of time, are living or have lived together, are sharing or have shared occupancy of a dwelling, are engaged in or have engaged in a sexual relationship, or minors or adults who are dating or who have dated. "Dating" means a social relationship of a romantic nature. Factors that the court may consider when determining whether a dating relationship exists or existed include: (a) the nature of the relationship; (b) the length of time the relationship existed; (c) the frequency of interaction between the parties; (d) the length of time since the relationship was terminated, if applicable. 15 VSA 1101 (2)

<sup>8</sup> See footnote 3 for definition of "household member"

<sup>9</sup> See Footnote 3 for definition of "household member"

<sup>10</sup> See Footnote 3 for definition of "household member"

- k. the fatality is a murder-suicide matter involving family or household members;
- l. the fatality is a suicide where there is documented history of domestic violence to include victim suicide; alleged perpetrator suicide (as violent act in front of family or household members); alleged perpetrator suicide by law enforcement and teen suicide;
- m. the fatality is a substance abuse related death (chronic abuse, suicide, overdose) that is related to domestic violence.

## **APPENDIX C - DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION MEMBERS**

Pursuant to 15 VSA Sec. 1140(b), the Commission is comprised of 15 members, consisting of the following:

- The Attorney General, or his or her designee;

Amy S. FitzGerald  
Assistant Attorney General  
Office of Attorney General  
109 State Street  
Montpelier, VT 05609  
802-828-5520 phone  
802-828-2154 fax  
[afitzgerald@atg.state.vt.us](mailto:afitzgerald@atg.state.vt.us)

- The Commissioner of the Department of Health, or his or her designee;

Edith Munene  
Public Health Specialist – Injury Control and Prevention Program  
Department of Health  
108 Cherry St., PO Box 70  
Burlington, VT 05402  
802-651-1978 phone  
[emunene@vdh.state.vt.us](mailto:emunene@vdh.state.vt.us)

Alternate:  
Sally Kerschner, RN, MSN  
Department of Health  
108 Cherry St., PO Box 70  
Burlington, VT 05402  
802-652-4179 phone  
[skersch@vdh.state.vt.us](mailto:skersch@vdh.state.vt.us)

- The Commissioner of Department for Children and Families, or his or her designee;

Ellie Breitmaier  
Coordinator of the Domestic Violence Unit  
Department For Children and Families  
103 S. Main St.  
Waterbury, VT 05671  
241-1206 phone  
[ellie.breitmaier@ahs.state.vt.us](mailto:ellie.breitmaier@ahs.state.vt.us)

- The Commissioner of the Department of Corrections, or his or her designee;

Susan Onderwyzer LICSW BCD LADC  
Program Services Executive  
VT Department of Corrections  
103 South Main Street  
Waterbury, VT 05671-1001  
802-241-3582  
sonderwy@doc.state.vt.us

- The Commissioner of the Department of Public Safety, or his or her designee;

Captain Edward J. Ledo  
Chief Criminal Investigator - BCI  
Department of Public Safety  
103 S. Main St.  
Waterbury, VT 05671  
(802)241-5566 Ext. 5491  
[eledo@dps.state.vt.us](mailto:eledo@dps.state.vt.us)

- The Chief Medical Examiner, or his or her designee;

Dr. Steve Shapiro  
Office of Medical Examiner  
Department of Health  
111 Colchester Ave. Baird 1  
Burlington, VT 05401  
863-7320 phone  
sshapir@vdh.state.vt.us

- A State's Attorney with experience prosecuting domestic violence cases, appointed by the Executive Director of the Vermont State's Attorneys' Association;

Rosemary Gretkowski  
Chittenden County State's Attorney's Office  
32 Cherry Street  
Burlington, VT 05401  
802-863-2865 phone  
802-863-7440 fax  
rosemary.gretkowski@state.vt.us

- The Defender General, or his or her designee;

Matthew Valerio  
Defender General's Office  
6 Baldwin Street, 4<sup>th</sup> Floor  
Montpelier, VT 05620-3301  
828-3191/786-3803 phone  
matthew.valerio@state.vt.us

Alternate:

Robert Sheil  
Defender General's Office  
6 Baldwin Street, 4<sup>th</sup> Floor  
Montpelier, VT 05620-3301  
802-828-3168 phone  
802-828-3163 fax  
[bob.sheil@state.vt.us](mailto:bob.sheil@state.vt.us)

- A member of the Vermont Coalition of Batterer Intervention Services;

Mark Larson  
Vermont Coalition of Batterer Intervention Services  
64 Temple Street  
Burlington, VT 05401  
862-7596 phone  
[marklvt@verizon.net](mailto:marklvt@verizon.net)

- A member of the Vermont Network Against Domestic and Sexual Violence;

Sarah Kenney  
Public Policy Coordinator  
The Vermont Network Against Domestic and Sexual Violence  
PO Box 405  
Montpelier, VT 05601  
802-223-1302 phone  
802-223-6943 fax  
[sarahk@vtnetwork.org](mailto:sarahk@vtnetwork.org)

- A representative of the Vermont Council on Domestic Violence;

Heather Holter  
Coordinator  
Vermont Council on Domestic Violence  
Montpelier, Vermont  
[heather\\_holter@tds.net](mailto:heather_holter@tds.net)

- A representative of local law enforcement, appointed by the Governor;

W Samuel Hill, Sheriff  
Washington County Sheriff's Department  
10 Elm Street  
Montpelier, Vt 05602  
802-223-3001 phone  
[shill@dps.state.vt.us](mailto:shill@dps.state.vt.us)

- A victim or survivor of domestic violence, appointed by the Vermont Network Against Domestic and Sexual Violence;

Susan Hardin  
P.O. Box 328  
Chelsea, VT 05038  
[susanhardin@charter.net](mailto:susanhardin@charter.net)

- A physician, appointed by the Governor;

Dr. Elizabeth Turner

- The Executive Director of the Vermont Criminal Justice Training Council, or his or her designee.

TJ Anderson  
Training and Curriculum Coordinator  
Vermont Criminal Justice Training Council  
Vermont Police Academy  
317 Academy Road  
Pittsford, VT 05763-9712  
483-6228 ext 13 phone  
483-2343 fax  
[tj.anderson@state.vt.us](mailto:tj.anderson@state.vt.us)

## APPENDIX D: COMMISSION CASE REFERRAL FORM

	<b>DOMESTIC VIOLENCE FATALITY REFERRAL FORM</b>	<b>OFFICIAL USE ONLY</b>	
	Domestic Violence Fatality Review Commission Office of the Attorney General - Criminal Division 109 State Street - Montpelier, VT 05609	Received	By

### INSTRUCTIONS

Please answer the questions below as completely as possible to assist the Commission in determining whether we are able to review this death. Please note that you can refer this case to the Commission but, by statute, we cannot review a case until the court proceedings are over and the investigation is closed. In the meantime, we can include the case for statistical purposes. But depending upon the legal status of your referred case there may be a significant delay before the Commission could consider it for review.

Additionally, if you need assistance completing this form or would like to communicate the information in a different manner please call the Office of Attorney General, Criminal Division, at (802) 828-5512. This form is also available on the Office of Attorney General's web page at <http://www.state.vt.us/atg/>.

### PLEASE PRINT ALL INFORMATION

Name of Victim (including aliases)		Name of Parent/Guardian (if under 18)	
Date of Birth (or approximate age)		Date of Death	Town/City where death occurred
Address of Victim (if known)	Street	City	State
Describe how death occurred including any history of domestic violence or abuse (please note that the abuse does not have to be documented through official sources such as the police or courts):			
Person you believe is responsible for this death (including aliases)			
Date of Birth or approximate age of person you believe is responsible		Relationship of the victim to the person you believe is responsible	
Other people having information about this death: (use another sheet if necessary)			
Name	Address	Phone	
Name	Address	Phone	
Was this death investigated and if so by whom:			
A short explanation why you want the death reviewed (use additional pages if necessary.)			
The Commission welcomes any other information you may wish to provide which would help us understand the history and circumstances of the fatality. Anonymous referrals can be made as long as there is sufficient information to be able to identify the fatality; however, if possible, contact information for the person making the referral would be appreciated.			

### SUBMITTED BY

Name			
Address	Town/City	State	
Contact Phone 1		Contact Phone 2	

**Send completed forms to:** Office of Attorney General, 109 State Street, Montpelier, VT 05609 ATT: Criminal Division/Domestic Violence Fatality Review Commission



STATE OF VERMONT  
OFFICE OF THE ATTORNEY GENERAL  
**DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION**

The Domestic Violence Fatality (Death) Review Commission is established in the Office of Attorney General in consultation with the Council on Domestic Violence under 15 VSA Sec. 1140.

The purposes of the Commission are (A) to examine the trends and patterns of domestic violence-related deaths in Vermont; (B) to identify barriers to safety, and strengths and weaknesses in communities and systemic responses to domestic violence; (C) to educate the public, service providers and policymakers about domestic violence deaths and strategies for intervention and prevention; and (D) to recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.

All proceedings and records of the Commission are confidential and are not subject to subpoena, discovery or introduction into evidence in a civil or criminal action. Records include oral and written communications.

The Commission shall report its findings and recommendations in a public report. The Report shall contain general statistical data regarding deaths as well as findings and recommendations related to case reviews but will not contain case specific information. The report shall examine general trends and patterns with the goal of reducing domestic violence related deaths.

Questions or comments concerning the Commission can be directed to:

Office of the Attorney General  
Criminal Division  
109 State Street  
Montpelier, Vermont, 05609.  
Telephone (802) 828-5512

On the Web - <http://www.state.vt.us/atg/>



## **APPENDIX E**

### **2007 PROTOCOL BETWEEN COUNCIL AND THE DOMESTIC VIOLENCE FATALITY REVIEW COMMISSION**

Pursuant to H. 278, the Domestic Violence Fatality Review Commission was established in May of 2002 within the Office of the Attorney General, in consultation with the Council on Domestic Violence, for the following purposes:

1. To examine the trends and patterns of domestic violence-related fatalities in Vermont.
2. To identify barriers to safety, the strengths and weaknesses in communities and systemic responses to domestic violence.
3. To educate the public, service providers and policymakers about domestic violence fatalities and strategies for intervention and prevention.
4. To recommend policies, practices and services that will encourage collaboration and reduce fatalities due to domestic violence.

See, Sec. 1. 15 VSA chapter 21, subchapter 2.

The Statute as enacted does not define the term “in consultation with the Council on Domestic Violence”.

The Council on Domestic Violence (Council) provides statewide leadership on the multi-disciplinary response to domestic violence. In an effort to promote statewide coordination of advocacy and education, the Council and the Commission will work in consultation with each other.

The following is the agreement adopted by the Council and the Domestic Violence Fatality Review Commission (Commission).

1. The Council will appoint a Council Representative to the Commission (the Council Representative).
2. The Council Representative will serve as a member of the Executive Committee of the Commission.
3. The Council Representative will be authorized by the Council to represent the Council’s position on any aspect of the Commission’s work.
4. The Council Representative will report to and obtain guidance from the Council related to the ongoing work of the Commission. This discussion may, but will not be required to, include providing drafts of Commission reports to the Council, information regarding the collection of statistical data and general information regarding the review of individual cases.
5. The Council Representative is subject to the signed Commission Member confidentiality agreement and cannot report confidential information to the Council.

6. The Council Representative to the Commission will draw on the collective expertise of the Council to help the Commission draft its recommendations and conclusions.

7. Prior to endorsing a Commission recommendation that refers specifically to an individual member of the Council or an agency represented by a Council member, the Council Representative will review it with the relevant Council member(s). That review may include: the likely impact of the recommendation, the feasibility of its implementation and any potential consequences that may not have been foreseen by the Commission.

8. The Council will work with the Commission to develop strategies to implement Commission recommendations from the annual reports. The Council will oversee relevant implementation plans and will report regularly to the Commission on progress towards and/or barriers to implementing Commission recommendations.

9. The Council and the Commission agree to resolve any differences respectfully and promptly by way of the Council Co-Chairs and the Office of the Attorney General.

## APPENDIX F

### Before It's Too Late:

*Taking Action to Prevent Domestic Violence Homicides  
in Vermont Communities.*

#### Monday June 9, 2008– Killington VT

Join us as we discuss:

- Community Intervention and Safety,
- Violence and Danger Assessment,
- Informing Policy and Practice Through Fatality Review and
- Tools for Action.

Registration: \$20 before 4/4, \$30 until 5/2.

Scholarships available. **Lunch provided.**

National & local speakers include:

- **Neil Websdale**, PhD Professor Northern AZ University and the National Domestic Violence Fatality Review Initiative regarding Fatality Review Teams and Bystander Involvement;
- **David Adams**, ED.D, from Emerge in MA regarding lethality and risk assessment;
- **Bobby Eckstein**, University of NH, regarding bystander education campaigns
- **and MORE!**

For more information contact [Bethany@vtnetwork.org](mailto:Bethany@vtnetwork.org) or 802.223.1302 x 103 *This is an accessible event.*

**\*\* Save the Date \*\***

Presented by Vermont's Domestic Violence Fatality Review Commission, The Vermont Attorney General's Office, the Vermont Council on Domestic Violence, the U.S. Attorney's Office, the Vermont Center for Crime Victim Services, and the Vermont Network Against Domestic and Sexual Violence .