

A DIFFERENT RESPONSE TO INTIMATE PARTNER VIOLENCE

“It’s Not Just Domestic Violence, It’s VIOLENCE!”

Presenter:
Chief Marty A. Sumner

February 28, 2014

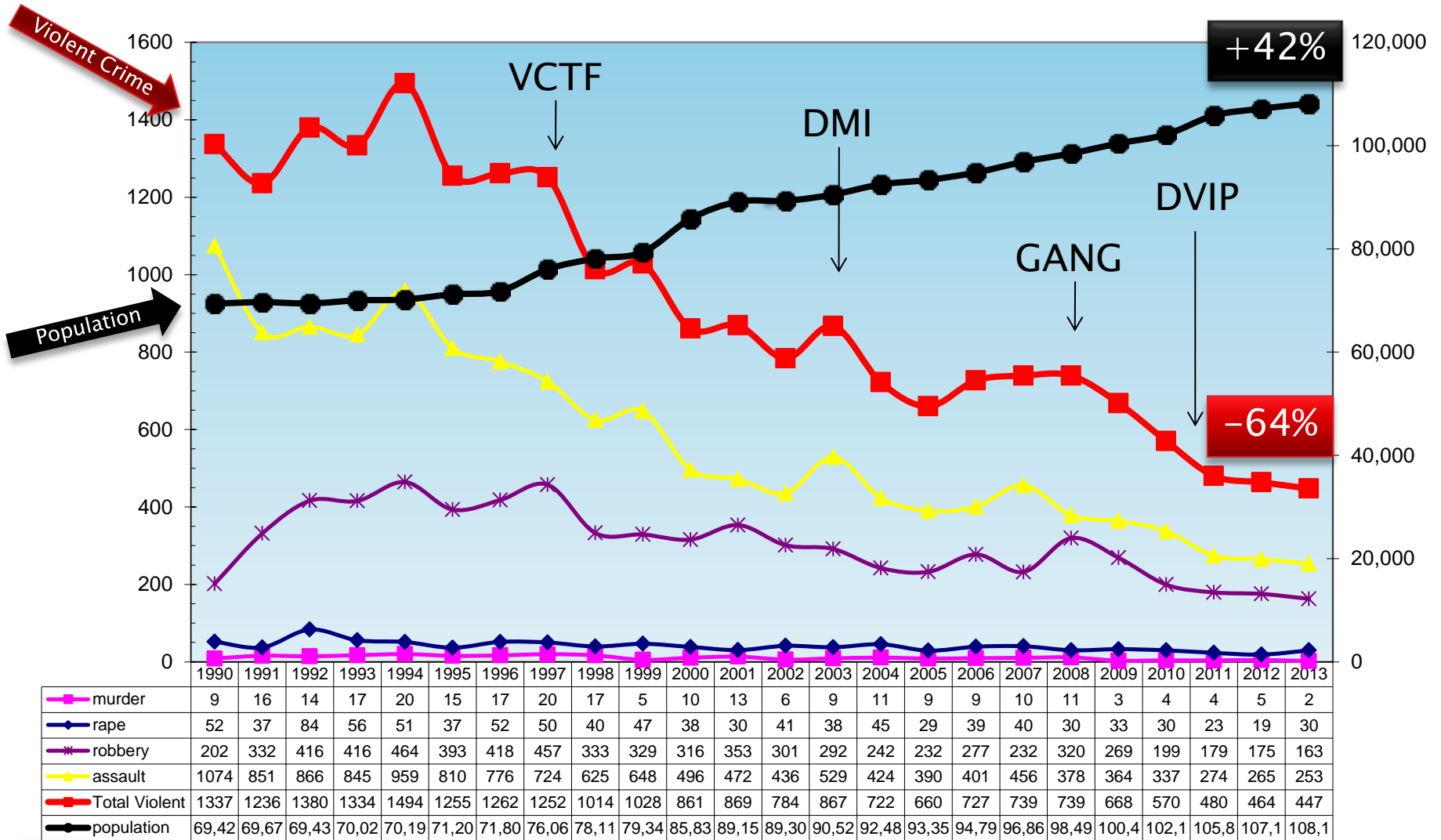


Why Apply the Focused Deterrence Framework to the Domestic Violence Offender?

- ▶ By 2009, gun, gang, drug related violence decreased, however 1 / 3 of our remaining homicides were DV related including two murder/suicides (17 in a five year period)
- ▶ Review of David Kennedy's concept paper from 2003 (*Controlling Domestic Violence Offenders – Paper prepared for the Hewlett–Family Violence Prevention Fund*)
- ▶ Initial review of DV offenders who committed homicide matched Kennedy's hypothesis
- ▶ Conducted original research in High Point, ten years worth of DV offender's records by UNCG

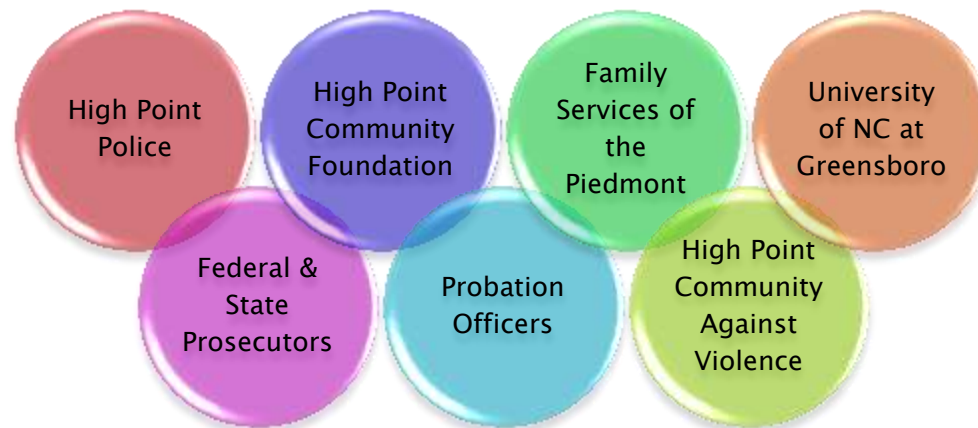


High Point's 24 Year Index Violent Crime Trend



Statement of Purpose

The High Point Police Department in partnership with researchers, practitioners, prosecutors, and community; will develop, implement and evaluate a focused deterrence initiative targeted at the chronic domestic violence offender to reduce repeat domestic violence calls, reported assaults, injuries and deaths.



Question: Are the domestic violence offenders resisting our best efforts?

Answer: No



Impact on High Point Police Dept

- ▶ HPPD officers respond to more than 5,000 DV calls per year; 5,352 in 2010
- ▶ Our average on scene time is 26 min, times 2 officers = 6,472 hours on DV calls that year
- ▶ Between 2004–2008; 17 homicides were DV related, that was 33% of all homicides
- ▶ Number 1 most dangerous call to handle for officers
- ▶ Often requires use of force to make arrests



Theory and Concepts

- ▶ “Offender focused” versus “Victim focused”
- ▶ Traditional approaches have been strongly victim-focused, with a heavy emphasis on helping victims avoid patterns of intimacy with abusers and to physically remove themselves from abusive settings
- ▶ Not enough attention has been paid to holding the offender accountable
- ▶ The belief that domestic violence is not qualitatively different than other violence
- ▶ Risk to victims must be minimized



Theory and Concepts Continued...

- ▶ The chronic DV offender tends to have extensive criminal histories that include both domestic and non-domestic violence
- ▶ The chronic DV offender is exposed to sanctions because of their pattern of criminal behavior
- ▶ DV is spread equally across the City geographically and demographically however, minorities and low income families are disproportionately impacted by homicides
- ▶ There are persistent misunderstandings surrounding offenders, victims, law enforcement and courts, requires resetting of the norms



Goals for Offender Focused DV Approach

- ▶ Protect most vulnerable women from most dangerous abusers
- ▶ Take burden of addressing abusers from women and move it to state/police
- ▶ Focus deterrence, community standards, and outreach and support on most dangerous abusers
- ▶ Counter/avoid “experiential effect”
- ▶ Take advantage of opportunities provided by “cafeteria” offending
- ▶ Avoid putting women at additional risk



New Discoveries

- ▶ We did not even track the number of intimate partner domestic calls separately from domestic disturbances
- ▶ DV offenders are not different and this is not a secret crime
- ▶ Controlling the offender is more realistic for those who continue to be involved in a relationship
- ▶ There are four levels of DVIP offenders to deter, unlike the traditional A – B levels
- ▶ The messaging is different
- ▶ Accountability for the offender does not increase the risk to victims
- ▶ We can take advantage of early intervention





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2011

Applying a Focused Deterrence Approach to Domestic Violence

Written by:

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UNCG Center for Youth, Family, and Community Partnerships and the High Point, North Carolina Police Department

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- Between 2000 and 2010 there were 1,033 people charged with a DV-related offense
- For a total of 10,328 different charges amongst them
- The average DV offender had 10 other charges
- Included both domestic and non-domestic related violence



Table 1. Top 20 Most Common Arrest Charges Among Those With At Least One DV Offense (*n*=9,777 charges; *n*=1,002 offenders)

| Charge Type | Text Description (Statute Code) | Total Cases |
|---------------|--------------------------------------------------|-------------|
| Violent | Assault on Female by Male Over 18 (14-33(C)(2)) | 1023 |
| Property | Second Degree Trespass (14-159.13) | 601 |
| Drug/Alc | Driving While License Revoked ((20-28(A)) | 480 |
| Violent | Communicating Threats (14-277.1) | 396 |
| Violent | Resisting Public Officer (14-223) | 392 |
| Drug/Alc | Felony Possession (90-95(A3)6) | 373 |
| Violent | Simple Assault (14-33) | 370 |
| Drug | Possession of Drug Paraphernalia (90-113.22) | 284 |
| Violent | Assault on a Female (14-33(B)(2)) | 260 |
| Violent | Assault Attempt Serious Injury (M) (14-33(C)(1)) | 234 |
| Admin | Order Show Cause (5A-15) | 225 |
| Property | Larceny (14-72)(A) | 222 |
| Property | Larceny (M) (14-72(A)M) | 209 |
| Property | Injury to Personal Property (14-160) | 207 |
| Drug/Alc | DWI (20-138.1(A)) | 188 |
| Admin | DV Protective Order Violation (50B) | 171 |
| Property | Injury to Real Property (14-127) | 166 |
| Property | Larceny (F) (14-72(A)F) | 119 |
| Drug/Alc | Possession of Controlled Substance (90-95(A3)2) | 119 |
| Admin | Turned Over to Other Agency | 117 |
| Miscellaneous | | 3626 |

¹Only includes through June 14, 2010. In 2010, the total number of offenders arrested was 5,753 individuals.

Offense Types:

- 6 Violent
- 6 Property
- 4 Drug or Alcohol
- 3 Legal or

Administrative

Top 10:

- 6 Violent
- 3 Drug or Alcohol
- 1 Property



Offender Profile Homicide

- 86% Minority, 93% Unemployed, All Poor
- Averaged 10.6 arrests each with assaults being most prominent offense.
- Most had lengthy histories with frequent contact in justice system.
- All had offense history beyond DV



Criteria For Levels

(Commit prohibited behavior or new charge moves up a level)



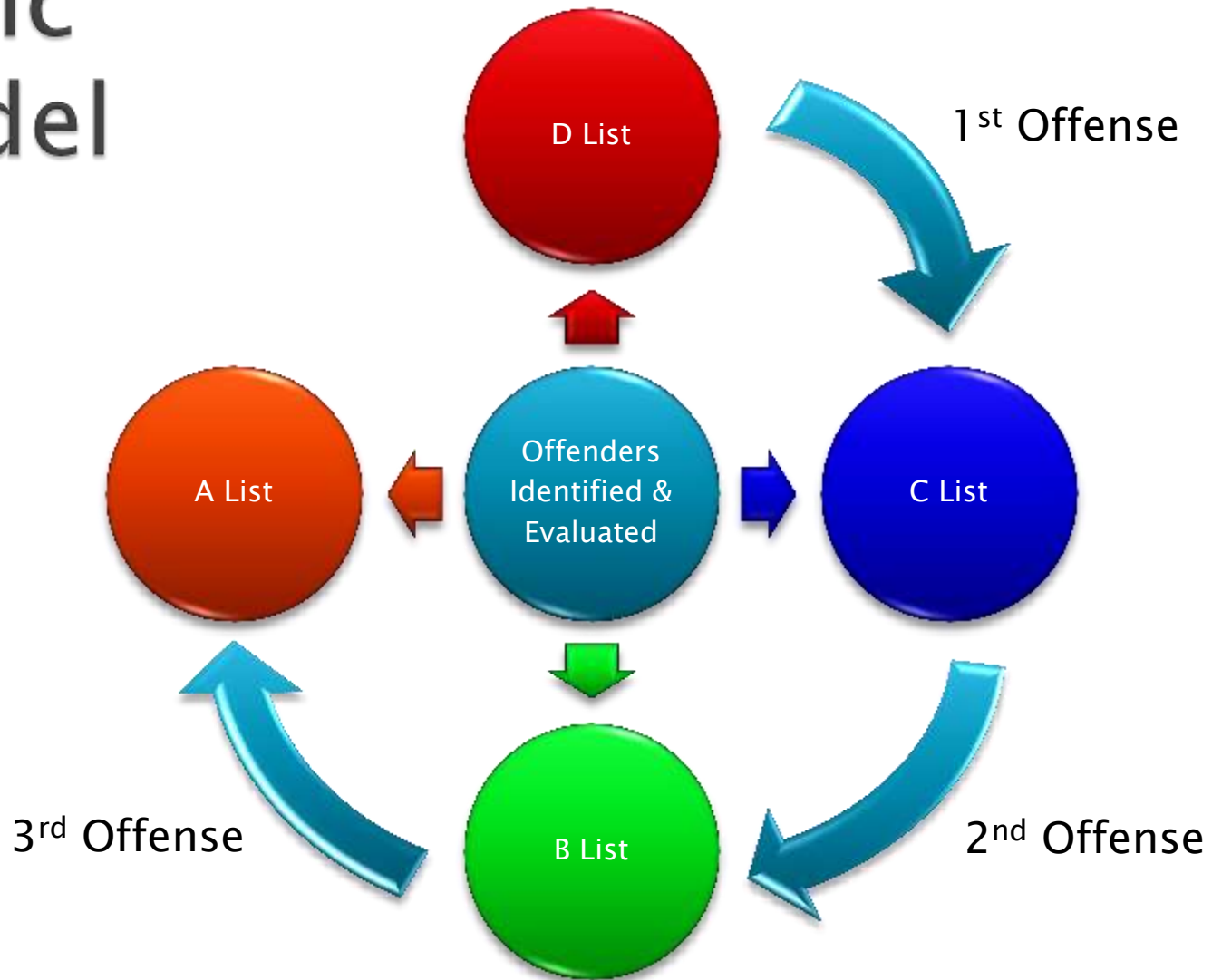
| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| D List | | | |
| <p>No previous charges for DV</p> <p>Repeat call involving the same aggressor</p> <p>Situation cannot be resolved by the first responding officer</p> <p>Officer believes the potential exists for violence</p> <p>Validated intimate partner relationship</p> | C List | B List | A List |
| | <p>1st charge for DV related offense</p> | <p>2nd charge of DV related offense</p> <p>or</p> <p>Violation of prohibited behavior for which offender received notice as C list offender (violating pretrial conditions, contacting victim, etc.)</p> | <p>3rd or more DV charges</p> <p>Offender has violent record including DV</p> <p>Violation of 50B protective order</p> <p>Used weapon in DV</p> <p>Convicted felon</p> |

Types of Notification

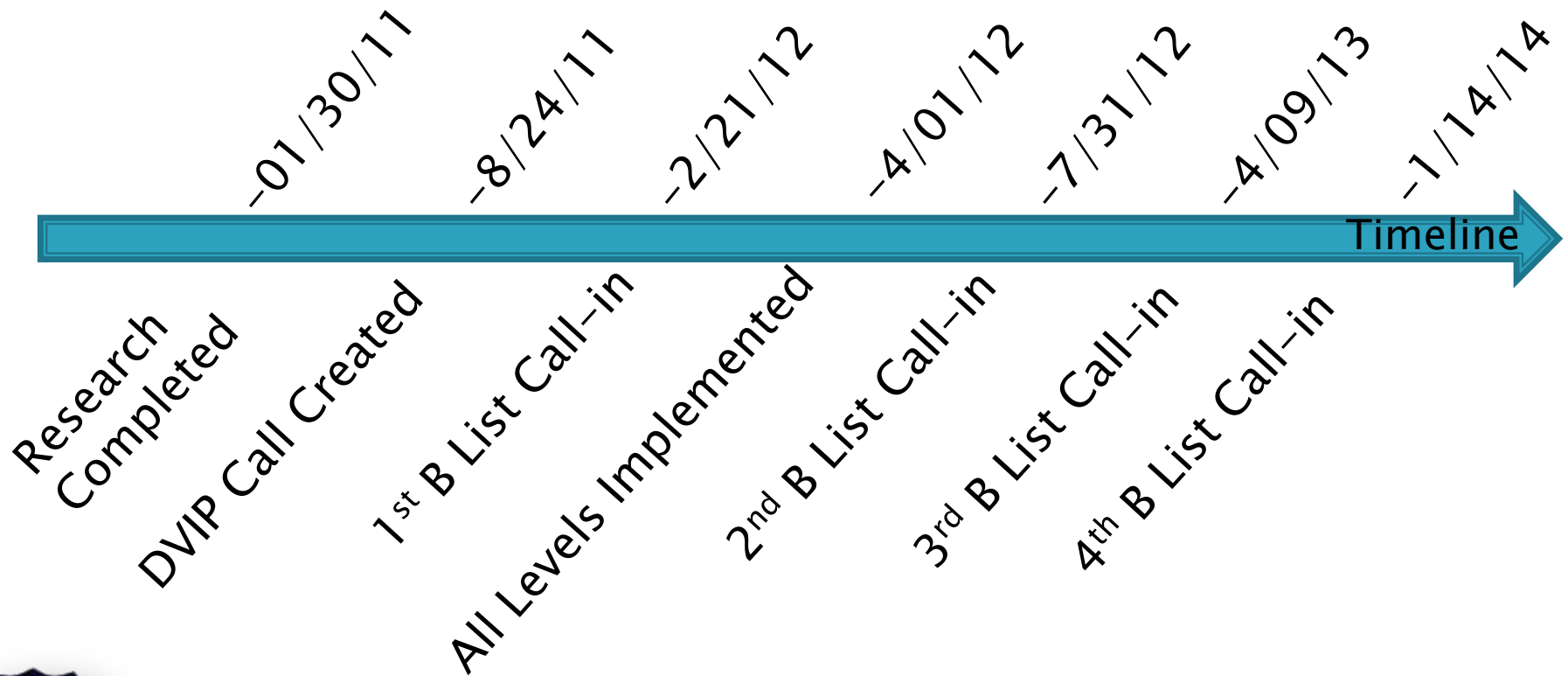
| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| D List | | | |
| <p>Receives letter from Police putting him on official notice</p> <p>At the scene of a call, by mail or during a follow up visit</p> | C List | B List | A List |
| | <p>Face-to-face deterrent message from Violent Crime Detective</p> <p>At the time of arrest, before pretrial release, probation visit or follow up visit by Detective</p> | <p>Law enforcement and community message face-to-face</p> <p>Offenders called to a notification perhaps quarterly or more frequent</p> | <p>Notified by Violent Crime Detective</p> <p>At time of arrest or indictment</p> |



Logic Model



Timeline of Implementation



OFDVIP Implementation Steps

- ▶ Track DVIP calls separate
 - Gives a true number of calls
- ▶ Identify aggressors from calls (Field Contact Sheets)
 - Identify early, before arrest (D letter)
- ▶ Recognize there are 4 categories (levels) of offenders
 - Allows for incremental notifications/sanctions
 - Based on arrest records



Steps (cont'd.)

- ▶ Review local offender data for previous year
 - Identifies A, B, C offenders
- ▶ Identify DVIP task force
 - Law Enforcement, Prosecutors, Probation, Victim Advocate, Service Providers, Magistrate, Community Representatives (moral voice)
 - Task Force provides constant refinement of the process and fills gaps
 - Establish a working group of the agencies



Steps (cont'd.)

- ▶ Start delivering 'D' letters and prosecuting 'A list' offenders
 - Take advantage of low level contacts
 - Create example group for deterrence
- ▶ Begin 'C' list notifications
 - Victim no longer in charge of the case
 - Emphasis on how our response has changed



Steps (cont'd.)

- ▶ B – list face to face notification
 - Formal Call-In
 - Community Moral Voice
 - Law enforcement message
 - Custom Legal Notification
- ▶ Tracking/Response for all levels
 - Swift, certain consequences for re-offenders



Sample D List Letters

Marty A. Sumner
Chief of Police



PHONE (336) 887-7970
FAX (336) 887-7972
TDD (336) 883-8517

High Point Police Department

1009 Leonard Avenue • High Point, North Carolina 27260

OFFENDER FOCUSED DOMESTIC VIOLENCE INITIATIVE

[date of letter]

Dear Mr. [Subject],

Because of the domestic related call involving you on [Date] I am writing to let you know that members of the High Point Police Department are taking a new focused approach in preventing future acts of domestic violence. This letter is your official notice that your name has been added to a watch list. The watch list will be reviewed daily by detectives assigned to the Domestic Violence Task Force who will be looking for any complaints about domestic violence related activity involving you. Domestic Violence Task Force detectives will consider complaints from any source; officers, neighbors, family members, a witness, a friend or the victim.

Domestic violence related crimes are threats, trespassing, damage to property, assaults, harassment, stalking, sexual assault, assaults inflicting injury and homicide. Chief Marty A. Sumner has ordered that our number one priority be to focus on domestic violence offenders. Unannounced police checks on your residence may be conducted. Further incidents involving you will be documented, reviewed and acted upon.

You need to know our policy is to arrest domestic violence offenders whenever possible. Officers who believe probable cause exists that an offense took place must arrest the offender. We consider this fair warning so you can avoid charges, court appearances and possible imprisonment.

Sincerely,

Lt. Kevin Ray
Violent Crime Unit

DOMESTIC VIOLENCE TASK FORCE

High Point Police • Guilford Co. District Attorney • US Attorney • NC Probation • ATF • DEA • FBI • US Marshall • High Point Community Against Violence • Family Service of Piedmont • UNCG



OFFENDER FOCUSED
DOMESTIC VIOLENCE
INITIATIVE



NOTICE TO VICTIM

[Date of Letter]

Dear Ms. [Woman's Name],

After the domestic related call involving you on [Date] I am writing to let you know that members of the High Point Police Department are taking a new focused approach in preventing future acts of domestic violence. Chief Marty A. Sumner has ordered that our number one priority be to focus on domestic violence offenders.

Domestic violence related crimes include threats, trespassing, damage to property, assaults, harassment, stalking, sexual assault, assaults inflicting injury and homicide. If you would like to speak with someone at the police department about your incident or about further action you can contact Detective Thompson at 336-887-7864. Your call will be treated as confidential.

There are many organizations which provide help to victims of domestic violence in the form of advice, counseling, and risk assessment. If you would like to talk with a victim service provider the police department has partnered with Family Service of the Piedmont, you may contact Nikki at 336-889-6161, ext. 3331. The victim services are free to you.

Mr. [Man's Name] will be given written notice of our policy to arrest domestic violence offenders whenever possible. Officers who believe probable cause exists that an offense took place must arrest the **offender**. Mr. [Man's Name] has been added to a watch list reviewed daily looking for any complaints about domestic violence related activity involving him from any source; officers, neighbors, family members, a witness, a friend or the victim.

Sincerely,

Lt. Kevin Ray, Supervisor
Violent Crime Unit

Family Service of the Piedmont • 24 hr Domestic Violence Crisis Line • 336-889-7273
High Point Police Department • Nonemergency Number • 336-883-3224



Call-in Message Community

(Delivered with RESPECT as spoken to a rational adult)

- ▶ Domestic Violence is wrong
- ▶ This community is saying NO
- ▶ There is no excuse for domestic violence
- ▶ If you think nobody knows, nobody cares, that is not true, we do
- ▶ No more secrecy
- ▶ There is a serious cost to the community, family and children
- ▶ We care about you
- ▶ We support LEO in prosecuting you if you do not stop
- ▶ We are sharing information and working with the community to increase reporting



Call-in Message **Law Enforcement**

(Delivered with RESPECT as spoken to a rational adult)

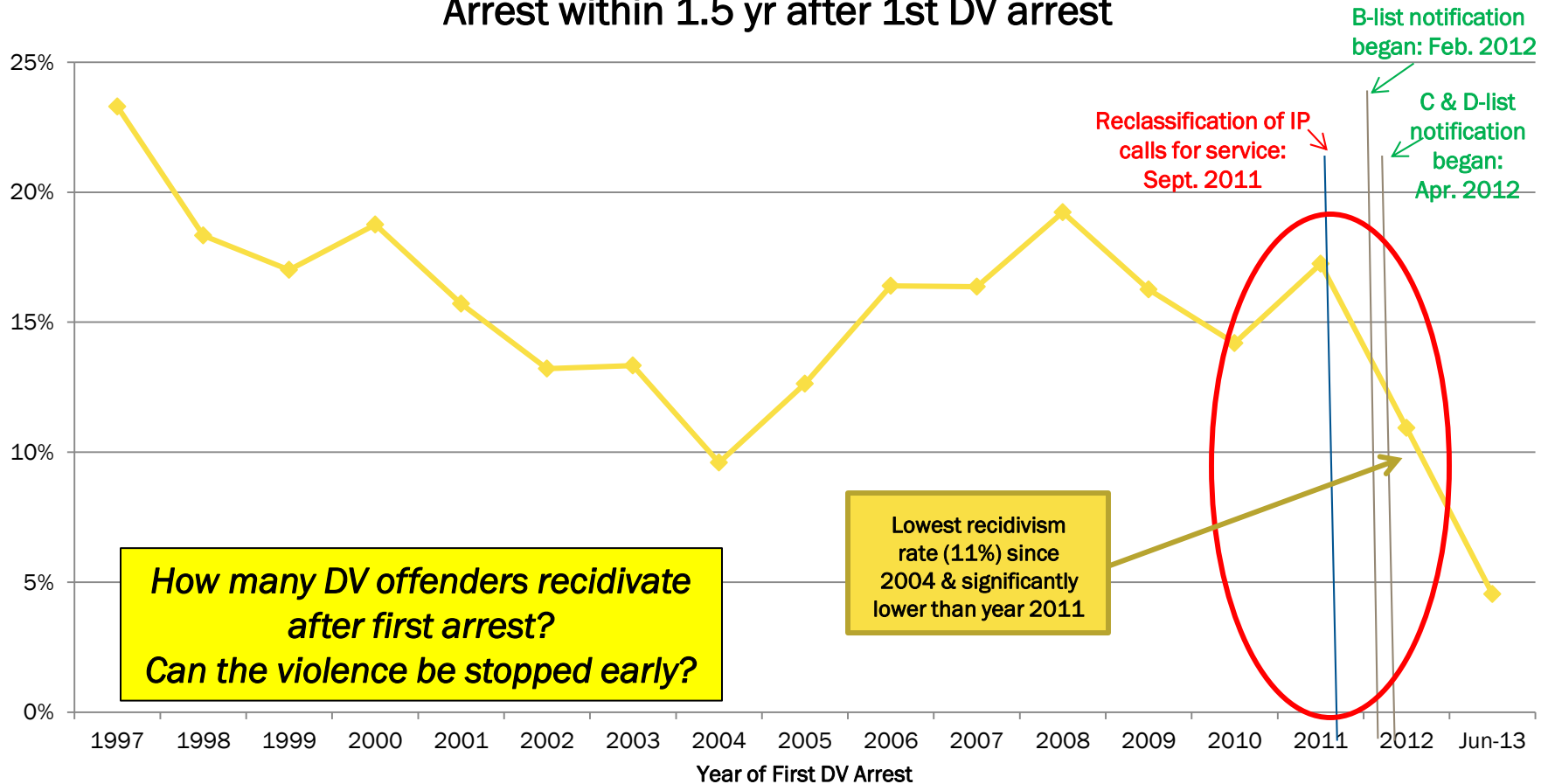
- ▶ It is not just domestic violence; it is VIOLENCE
- ▶ It will no longer be tolerated by community or law enforcement
- ▶ Clearly define what domestic violence is
- ▶ State prohibited behaviors
- ▶ From now on action will be driven by LEO, Not the victim
- ▶ Cases will be handled differently
- ▶ Explain exactly how the rules have been changed
- ▶ All sources of information will be considered and sought after
- ▶ Each person receives a custom legal notification letter



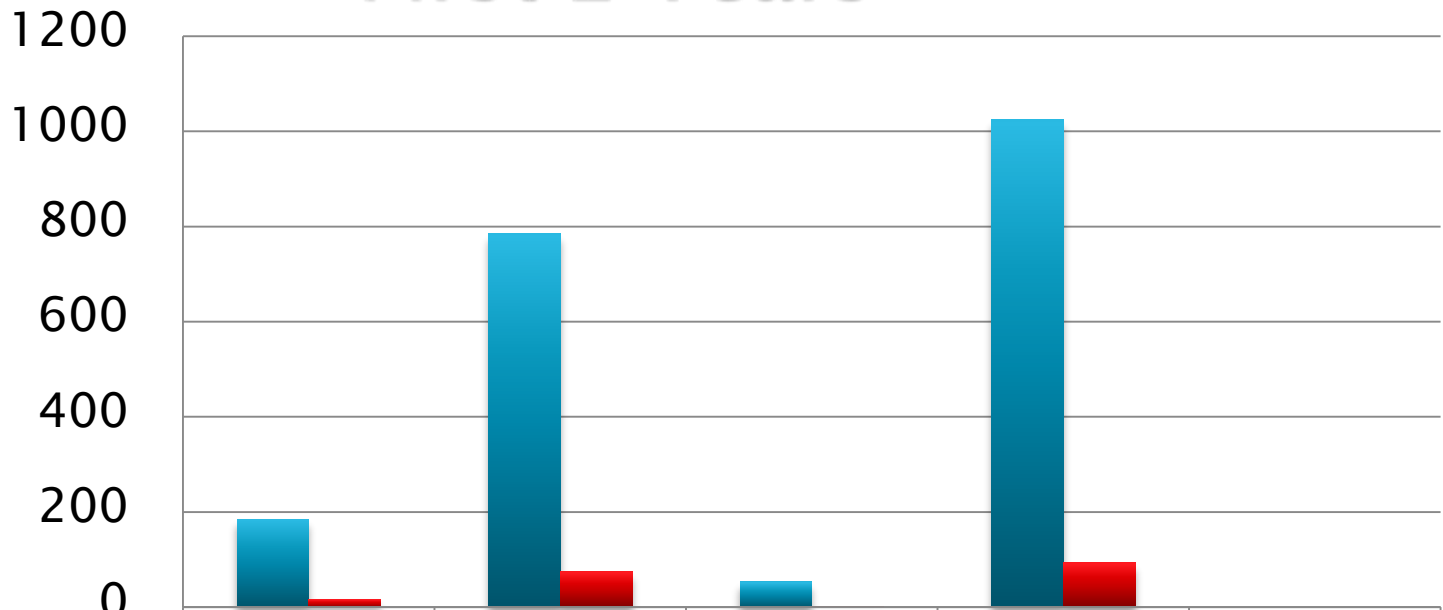
Is Offender Behavior Changing?

Domestic Violence Offender Recidivism

Percentage of First-Time DV Offenders who Reoffended with a DV Arrest within 1.5 yr after 1st DV arrest



Notified Offenders Recidivism Rate First 2 Years



| | D List | C List | B List | Total | |
|--------------|--------|--------|--------|-------|--|
| ■ Notified | 185 | 786 | 53 | 1024 | |
| ■ ReOffended | 17 | 74 | 2 | 93 | |

On average 9% of those who received a deterrent message have reoffended!



Is Victim Harm Decreasing?

Domestic Related Homicides In High Point

According to US DOJ stats, nationally 16.3% of all homicides involved intimate partners

- ▶ 2004 – 3 of 11 DV related (27%)
- ▶ 2005 – 5 of 9 (56%)
- ▶ 2006 – 4 of 10 (40%)
- ▶ 2007 – 1 of 10 (10%)
- ▶ 2008 – 4 of 12 (33%)

In HP before OFDVIP 33% of all homicides involved intimate partners

Guilford County experienced 13 of 26 (50%) and NC experienced 60 DV-related homicides in 2013 (NCCDAV, 2013)

- ▶ 2009 – 0 of 3
- ▶ 2010 – 0 of 4
- ▶ 2011 – 0 of 4
- ▶ 2012 – 0 of 3
- ▶ 2013 – 1 of 2

Family recently moved to HP from Ethiopia, no calls to residence, no DSS calls, no ER calls



So What's the Story?

- ▶ Domestic violence offender behavior can be changed by...
 - Stripping their anonymity and putting them on notice
 - Creating swift, certain, and predictable consequences for offending
 - Allowing them to make a rational choice as to whether to reoffend
 - All without any additional harm to victims
- ▶ Changing offender behavior will decrease victim injuries & deaths and increase victim use of services
- ▶ Leading to a huge savings in terms of less reliance on...
 - Law enforcement resources
 - Traditional responses to DV offenders (incarceration, treatment programs, anger management, etc.)



What's Next?

- ▶ COPS grant awarded
 - Replication to a new site, Lexington, NC
 - Model policy
 - Full evaluation
- ▶ Continue to problem solve and address system issues
 - Continuous quality improvement
- ▶ High Point Community Foundation grant for High Point Center Children and Families
 - Victim advocate
 - Civil attorney for victim
 - Prosecutor dedicated to DV cases
 - Co-located with Child Trauma services
 - Opening March 2, 2014





QUESTIONS?

CONTACT

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(336) 887-7970