



IDENTIFYING THE PREDOMINANT AGGRESSOR AND EVALUATING LETHALITY

GOALS OF CHANGE

- EFFECTIVE RESPONSE TO DV CALLS.
- STOP THE VIOLENCE
- VICTIM SAFETY
- BATTER ACCOUNTABILITY
- SUCCESSFUL PROSECUTION
- MESSAGE TO COMMUNITY



SAN DIEGO STUDY

STUDY FOCUS

WHY ARE THESE CASES SO PROBLEMATIC?

FINDINGS:

- LACK OF *COMPREHENSIVE PROSECUTION PROTOCOL*
- LACK OF **INTER-AGENCY COOPERATION** WITH
STAKEHOLDERS
- LACK OF *CHARGING PROTOCOL*
- LACK OF **EXPERTISE** IN *VICTIM AND OFFENDER DYNAMICS*



EVIDENCE BASED PROSECUTION?

- **WHAT IS IT?**

THE PROSECUTION OF A CRIMINAL CASE WITH EVIDENCE OTHER THAN THE VICTIM'S TESTIMONY ON BEHALF OF THE PROSECUTION.

- **WHY IS IT NECESSARY IN DOMESTIC VIOLENCE CASES?**

VICTIMS MAY DISAPPEAR, RECENT, MINIMIZE OR REFUSE TO PARTICIPATE.

MAKE VICTIM SAFETY OUR PRIORITY, BUT FOCUS ON THE ABUSER

- RESPONSIBILITY
- INTERVENTION
- FOCUS



VICTIM WAS THE FOCUS OF OUR ATTENTION:

WHAT DID OUR SYSTEM LOOK LIKE
BEFORE THE PHILOSOPHY?

- **VICTIM** HAD TO *PLACE THE SUSPECT UNDER ARREST*
- **VICTIM** HAD TO *PRESS CHARGES*
- **VICTIM** HAD TO SIGN THE COMPLIANT
- **VICTIM** HAD TO *TESTIFY IN COURT*
- **VICTIM** HAD TO BE CREDIBLE, FREE OF DRUGS, ALCOHOL
AND CRIMINAL CONVICTIONS



WHY IS EVIDENCE BASED PROSECUTION EFFECTIVE?

- ILLUMINATES THE FACTS.
- REVEALS THE TRUTH.
- HELPS EVALUATE THE CASE.
- COUNTERS DEFENSES.
- ACCOMPLISHES JUSTICE.



OVERLAPPING NATURE OF ABUSE



- OVER 50% OF **BATTERERS** SEXUAL ABUSE THEIR **PARTNERS**
- IN OVER 50% OF HOMES W/**CHILDREN** IN WHICH AN ADULT IS BEING ABUSED, THE **CHILDREN ARE ALSO BEING PHYSICALLY ABUSED**
- 32% OF **RAPIST** SEXUALLY AS **CHILD**
- FAMILY MEMBERS ACCOUNT FOR **ELDER ABUSE**





LAW ENFORCEMENT

*MAKE THE LAW KEEP ITS
PROMISE AND KEEP CITIZENS
SAFE*



PROSECUTOR

*“THE RESPONSIBILITY OF
PROSECUTION IS TO SEE
THAT JUSTICE IS
ACCOMPLISHED.”*

THE INITIAL INVESTIGATION

- FIRST RESPONDERS = **CRITICAL**
- FIRST FEW HOURS = **CRITICAL**
- THE FIRST 48
- PREDOMINANT AGGRESSOR
DETERMINATION



PROCESSING THE SCENE

VICTIM?

- HOW DO YOU KNOW IT WAS THE VICTIM?
- WHAT WAS **HER CONDITION**? NEGLECTED? INJURED?
- VICTIM'S **HYGIENE**? SORES?
- HOW DID SHE BEHAVE? CRYING? SCREAMING? UNCONSCIOUS?
- DOES SHE NEED MEDICAL ATTENTION? HOW DO YOU KNOW?
- **WHAT WAS SHE SAYING** WHEN YOU ARRIVE ON THE SCENE?

APRI/06

PROCESSING THE SCENE

SUSPECT?

- WHY DO YOU THINK HE IS THE **DEFENDANT**?
- DOES HE HAVE ANY WEAPONS?
- **WHAT** IS HE DOING? WHAT IS HE SAYING WHEN YOU ARRIVE AT THE SCENE? TO YOU? TO THE VICTIM? TO ANYONE ELSE AT THE SCENE?
- WHAT IS **HIS CONDITION**? IS HE INJURED?
- *IS HE COMPLAINING OF INJURIES?*
(DON'T ASK JUST NOTE IT!)
- *DID HE THREATEN HER IN FRONT OF YOU?* (USE TO INCREASE BAIL AND/OR FOR ADDITIONAL CHARGES)

PROCESSING THE SCENE

CHILDREN?

- WHAT IS THEIR **CONDITION?** *ARE THEY SAFE?*

ELDERS?

- WHAT IS THEIR **CONDITION?** *ARE THEY SAFE?*

PETS?

- **CONDITION?** AGITATED? BLOODY?

PROCESSING THE SCENE

WHAT IS THE PROPERTY CONDITION?

- **ANYTHING** *BROKEN? SPILLED? MARKED?*
- *SPECIFIC ITEMS DESTROYED? SPARED?*
- PHONE RIPPED OUT?
- DOOR OFF HINGES?
- HOLES IN WALL?
- *FOOD IN THE HOUSE? WATER?*
- **CLEAN CLOTHES? UTILITIES?**

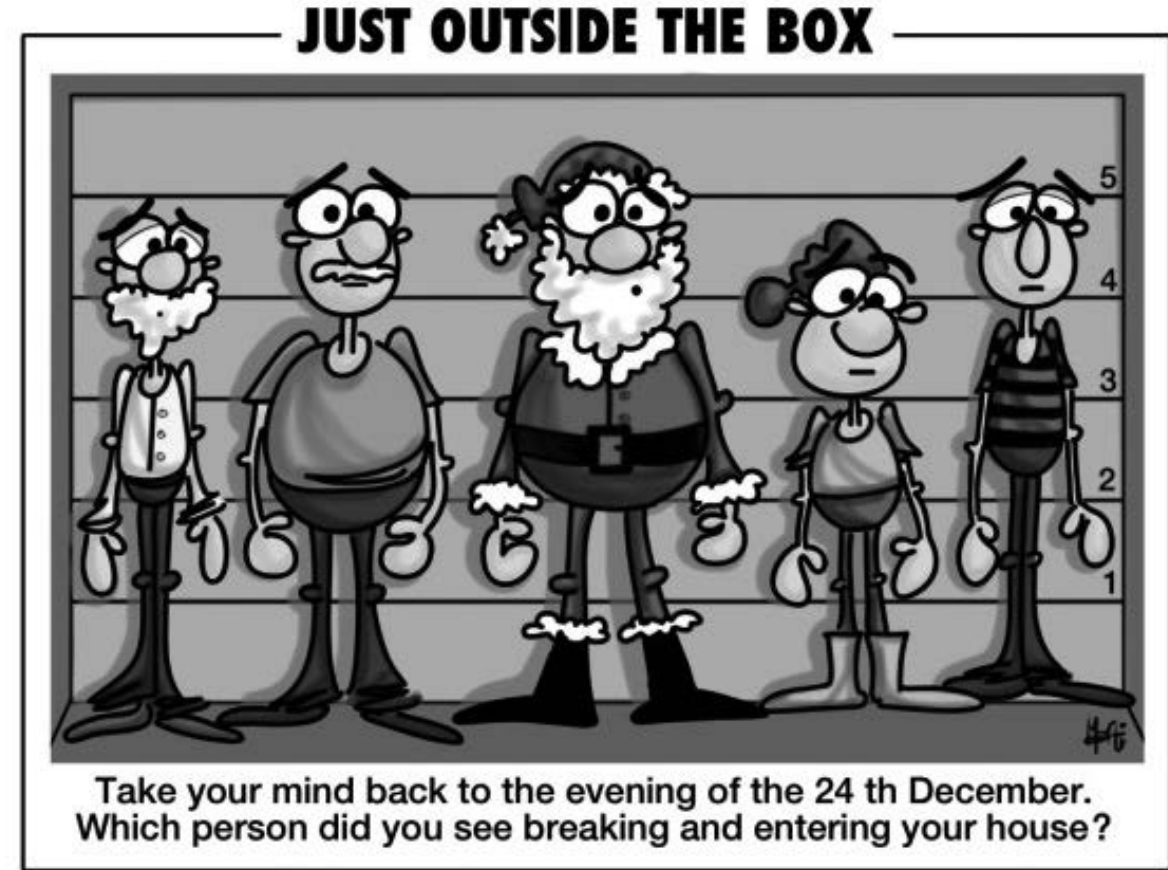
INTERVIEWING THE SUSPECT

- SAFETY FIRST
- INTERVIEW VICTIM FIRST
- INTERVIEW THE SUSPECT SEPARATELY
- SEAT THE SUSPECT
- DON'T SANCTION BEHAVIOR
- CAREFULLY NOTE STATEMENTS



INTERVIEWING THE SUSPECT

- SPONTANEOUS UTTERANCE
- INTERVIEW/INTERROGATION
- CUSTODIAL/NON-CUSTODIAL
- INCRIMINATING QUESTIONS
- EDUCATIONAL LEVEL



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INTERVIEWING THE SUSPECT

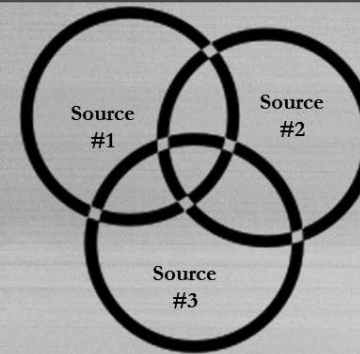
- EXCITED UTTERANCE
- TIMING
- ALLOW SUSPECT TO VENT
- DON'T TELL IF VICTIM OR CHILD CALLED THE POLICE.



PERPETRATOR'S BEHAVIOR

- SEEK EVIDENCE THAT PROVES CONSCIOUSNESS OF GUILT
- SEEK INFORMATION ABOUT PRIOR BAD ACTS BY DEFENDANT.
- TACTICS OF CONTROL.
- IMPORTANCE OF CORROBORATION

To corroborate sources, asks historians to consider what other sources on the event/topic say. This is done to determine where sources agree and disagree.



3. Corroborate

After reading, historians ask...

- What do other sources say about this event?
- Do those sources agree or disagree?
- What sources are the most trustworthy?
- What other sources might their be?

DOMESTIC VIOLENCE SUPPLEMENTAL

- REPORT #?
- OFFICER(S) NAME(S)?
- REPORT DATE?
- DEFENDANT'S NAME?
- Y OR N CHECK OFF BOXES
- INTOXICATION OBSERVATION(S)
- INJURIES TO DEFENDANT Y OR N (AND BODY CHART)
- WEAPONS USED? IF YES, WHAT TYPE?
- DEFENDANT STATEMENT (TO BE COMPLETED BY OFFICER)

PD-268 Rev: 01/12
COMMONWEALTH'S ATTORNEY'S DOMESTIC VIOLENCE SUPPLEMENT

IBR# _____ Officer's Name: _____ Report Date: _____

Defendant's Name: _____ 3rd Offense? ☐ Yes ☐ No

	Yes	No
Defendant a JUVENILE?		
Defendant at Scene?		
Arrested? Mis or Fel (circle)		
Given Miranda Warning?		
Alcohol Usage?		

Intoxication Observation (circle below all that apply)

Speech:	Slurred, incoherent, shouting; other.	Clothing:	Dirty, soiled, disheveled, normal, other
Odor of Alcohol:	Strong, faint; other.	Ability to Walk:	Swaying, stumbling, falling, other
Eyes:	Bloodshot, watery, glassy; other.	Ability to Stand:	Swaying, falling, leaning for support
Face:	Flushed, pale; other.	Actions:	Cooperative, fighting, abusive, crying

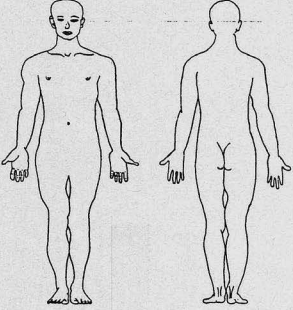
	Yes	No
Visible Injuries to Defendant?		
Complaining of Injuries?		

Injury Observation Chart. Indicate Location & Type.

Description of Injuries: _____

Weapons Used? If yes, what type:
Gun Knife Club Other (list):
☐ ☐ ☐ _____

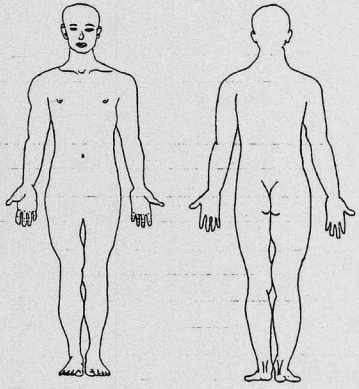
TO BE COMPLETE BY OFFICER (NOT THE DEFENDANT)
Defendant's Statement: _____



DOMESTIC VIOLENCE SUPPLEMENTAL

- VICTIM'S NAME
- CASE REPORT #
- Y OR N CHECK OFF BOXES (INDICATE LEVEL OF INTOXICATION WHERE APPLICABLE)
- VICTIM INJURY BODY CHART (VICTIM SIGNATURE AT BOTTOM)
(MARK "X" WHERE VICTIM INDICATES INJURY, CIRCLE "X" WHERE THE INDICATED INJURY IS VISIBLE)
- NEW ADDRESS FOR RELOCATED VICTIM
- RELATIONSHIP (OF SUSPECT TO THE VICTIM)
- NUMBER OF CHILDREN IN HOUSEHOLD?
- NAME/DOB OF CHILDREN PRESENT DURING INCIDENT:
- VICTIM'S DESCRIPTION OF INJURIES:
- VICTIM'S STATEMENT (COMPLETED BY VICTIM)
- MEDICAL RELEASE

(SIGNATURE & DATE, WITNESS & DATE)

Victim's Name: _____		IBR #: _____	
	Yes No		Yes No
Interviewed?	<input type="checkbox"/> <input type="checkbox"/>	*Domestic Violence Brochure Given?	<input type="checkbox"/> <input type="checkbox"/>
Taken to the hospital?	<input type="checkbox"/> <input type="checkbox"/>		Yes No
Alcohol Usage?	<input type="checkbox"/> <input type="checkbox"/>	Victim complaining of injuries?	<input type="checkbox"/> <input type="checkbox"/>
If yes, level of intoxication?	<input type="checkbox"/> <input type="checkbox"/>	Visible injuries to victim?	<input type="checkbox"/> <input type="checkbox"/>
Victim relocated due to incident? <input type="checkbox"/> <input type="checkbox"/>		Injury Observation Chart. Indicate location and type below.	
If yes, new address & phone: _____ _____ _____			
Relationship to Victim? _____			
Number of Children In Household: _____			
Children present during incident? Yes No			
Child Name (s): _____ DOB: _____			
1. _____			
2. _____			
3. _____			
Victim's Description of Injuries: _____ _____ _____ _____ _____		Signature: _____	
Victim's Statement (COMPLETED BY VICTIM) _____ _____ _____ _____ _____			
MEDICAL RELEASE To All Health Care Providers: Having been advised of my right to refuse, I hereby consent to the release of my medical / dental records related to this incident to the City of Virginia Beach Police Department, the Virginia Beach Commonwealth Attorney's Office and/or the Virginia Beach City Attorney's Office.			
Signature: _____		Date: _____	
Witness: _____		Date: _____	

PD-268 (Page 2)

DOMESTIC VIOLENCE SUPPLEMENTAL

- SYMPTOMS AND/OR POSSIBLE INTERNAL INJURY

CHECK OFF BOXES AS THEY APPLY

BREATHING CHANGES; VOICE CHANGES; SWALLOWING CHANGES; BEHAVIORAL CHANGES; OTHER CHANGES; FACE; EYES & EYELIDS; MOUTH; NECK; UNDER CHIN & BEHIND EARS

- METHOD/MANNER (OF STRANGULATION)

LIGATURE (DESCRIBE); HOW LONG WERE YOU CHOKED/STRANGLER/SUFFOCATED; FROM 1 TO 10, HOW HARD WAS THE SUSPECT’S GRIP? IS THE SUSPECT R OR L HANDED? (CIRCLE ONE); WHAT DID THE SUSPECT SAY DURING WHILE HE WAS STRANGLING/SUFFOCATING THE VICTIM? WHAT DID THE VICTIM THINK WAS GOING TO HAPPEN?

- OTHER: (CHECK BOXES THAT APPLY, IF YES, INDICATE TYPE OF PHOTO TAKEN AND WHO TOOK THE PHOTO(S)) INDICATE PLAN FOR FOLLOW UP PHOTOS)

- LIST EVIDENCE COLLECTED:

IBR #:

Attempted Strangulation Documentation Sheet

Symptoms and/or Possible Internal Injury:

Did the defendant "choke" you today? In the past?

Breathing Changes	✓	Voice Changes	Swallowing Changes	Behavioral Changes	OTHER				
Difficulty Breathing	<input type="checkbox"/>	Raspy voice	<input type="checkbox"/>	Trouble swallowing	<input type="checkbox"/>	Agitation	<input type="checkbox"/>	Dizzy	<input type="checkbox"/>
Hyperventilation	<input type="checkbox"/>	Hoarse voice	<input type="checkbox"/>	Painful to swallow	<input type="checkbox"/>	Amnesia	<input type="checkbox"/>	Headaches	<input type="checkbox"/>
Unable to breathe	<input type="checkbox"/>	Coughing	<input type="checkbox"/>	Neck Pain	<input type="checkbox"/>	PTSD	<input type="checkbox"/>	Fainted	<input type="checkbox"/>
Other:		Unable to speak	<input type="checkbox"/>	Nausea	<input type="checkbox"/>	Hallucinations	<input type="checkbox"/>	Urination	<input type="checkbox"/>
			<input type="checkbox"/>	Vomiting	<input type="checkbox"/>	Combativeness	<input type="checkbox"/>	Defecation	<input type="checkbox"/>

Face	✓	Eyes & Eyelids	Mouth	Neck	Under Chin / Behind Ears				
Red or Flushed	<input type="checkbox"/>	Eyeball	<input type="checkbox"/>	Bruising / Bleeding	<input type="checkbox"/>	Redness / Swelling	<input type="checkbox"/>	Abrasions	<input type="checkbox"/>
Pinpoint Red Spots	<input type="checkbox"/>	Petechiae L or R	<input type="checkbox"/>	Swollen Tongue	<input type="checkbox"/>	Scratch Marks	<input type="checkbox"/>	Bruising (Ears)	<input type="checkbox"/>
Scratch Marks	<input type="checkbox"/>	Eye Lids	<input type="checkbox"/>	Swollen Lips	<input type="checkbox"/>	Hand Prints	<input type="checkbox"/>	Scratch Marks	<input type="checkbox"/>
Bruising	<input type="checkbox"/>	Petechiae L or R	<input type="checkbox"/>	Blood Red Eyes	<input type="checkbox"/>	Bruise (s)	<input type="checkbox"/>	Redness	<input type="checkbox"/>
Other	<input type="checkbox"/>	Other	<input type="checkbox"/>	Cuts / Abrasions	<input type="checkbox"/>	Ligature Marks	<input type="checkbox"/>	Other	<input type="checkbox"/>
			<input type="checkbox"/>	Other	<input type="checkbox"/>				

Method / Manner:

How and where was the victim strangled?

One Hand (R or L)Two handsForearm (R or L)Knee / Foot

Ligature? (Describe):

How long were you choked/strangled?

From 1 to 10, how hard was the suspect's grip? (Low): 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 (high)

Is the suspect RIGHT or LEFT handed? (Circle one)

What did the suspect say while he was strangling the victim?

What did the victim think was going to happen?

Other:

Physical Evidence Collected at Scene?

(Very Important) Photos Taken?

Did FSU or a Pct Tech Respond?

Yes

No

If Yes, Type of Photo Taken:

Photos Taken By

Voucher Number

List Evidence Collected:

PD-268 (Page 3)

The Chest



Courtesy of Gael Strack

UNDER THE ARMS





Victim beaten
with a bedpost



Victim had a handprint on her back.



Victim had a “bump” on her forehead.

**BRING ME THE PICTURES! I SEE THE MARKS BUT
ABOVE THAT I SEE THE FEAR, FRUSTRATION,
DESPAIR, SHAME IN HER EYES. IF SHE LIES FOR HIM
OUT OF FEAR AND SELF PROTECTION, I WILL LET
HER DO IT BUT FIND HIM GUILTY!**



**JUDGE BAILEY
STATE OF NORTH CAROLINA
10 JUDICIAL DISTRICT**



DOMESTIC VIOLENCE SUPPLEMENTAL

- WITNESS INFORMATION:
NAME, RELATIONSHIP TO VICTIM, ADDRESS, PHONE NUMBERS
- PREDOMINANT AGGRESSOR DETERMINED AND WHY?
- ANY EXCITED UTTERANCES?
- WHERE THERE ANY PROTECTION ORDERS IN PLACE AT THE TIME OF THE INCIDENT?
- CRIMINAL HISTORY CHECK COMPLETED AND RESULTS?
- ANY PREVIOUS ASSAULTS, REPORTED OR NOT? DESCRIBE:
- IF THE INCIDENT INVOLVED A CHILD/DISABLED/ELDERLY PERSON? DESCRIBE:
- WAS CHILD PROTECTIVE SERVICES NOTIFIED? WHO?
- ANY ABUSE OF PETS?
- WHAT WAS THE CONDITION OF THE SCENE/PREMISES?
- WARRANT/EPO DENIED, WHY?
- PRESIDING MAGISTRATE:
- ADDITIONAL NOTES:
- EXTENUATING CIRCUMSTANCES/JUSTIFICATION FOR NO ARREST?
- REVIEWING SUPERVISOR:

Witness Information:		IBR #:
1. Name:	Relationship to Victim:	
Address:	Phone#	
	Work #	
2. Name:	Relationship to Victim:	
Address:	Phone#	
	Work #	
3. Name:	Relationship to Victim:	
Address:	Phone#	
	Work #	
THIS SECTION <u>MUST</u> BE COMPLETED:		
Predominant Aggressor and Why?		
Any excited utterances?		
Were there any protective orders in place at the time of the incident?		
Criminal History Check Completed and Results?		
What was the emotional state of the parties present?		
Any previous assaults, reported or not reported? Describe:		
If the incident involved a child, a disabled person, or elder abuse, describe:		
Was Child or Adult Protective Services notified? Who?		
Any abuse of children or pets?		
What was the condition of the scene / premises?		
Warrant / EPO Denied, Why?		
Presiding Magistrate:		
Additional Notes:		
Extenuating Circumstance / Justification for No Arrest?		
Reviewing Supervisor:		Code:

FOLLOW-UP INVESTIGATION

- DETECTIVE OR INVESTIGATOR
- VERIFY ON-SCENE INVESTIGATION
- OBTAIN MEDICAL RECORDS (WHERE APPLICABLE)
- OBTAIN 911 TAPE
- RE-INTERVIEW AS NECESSARY
- REMAIN IN CONTACT WITH VICTIM/WITNESSES
FOR CASE UPDATES



FOLLOW-UP INVESTIGATION



- ALTERNATIVE CONTACT
- COMPLETE RECORDS CHECK FOR ANY DV HISTORY
- DOCUMENT PRIOR DV INCIDENTS INCLUDING DATE, LOCATION, ETC.
- OBTAIN FOLLOW-UP PHOTOS OF INJURIES TO THE VICTIM

FOLLOW-UP INVESTIGATION SHOULD FOCUS ON HOW TO PROVE THE CASE EVEN WITHOUT PARTICIPATION FROM THE VICTIM.

REALITIES OF VAW CRIMES

What are some common characteristics of violence against women crimes?

Course of conduct vs. incident-based

Multiple, concurrent crimes

Traumatic impact

Minimization by victim and/or perpetrator

Underreported

Serial nature of perpetrators

REALITIES OF VAW CRIMES

Victims of VAW

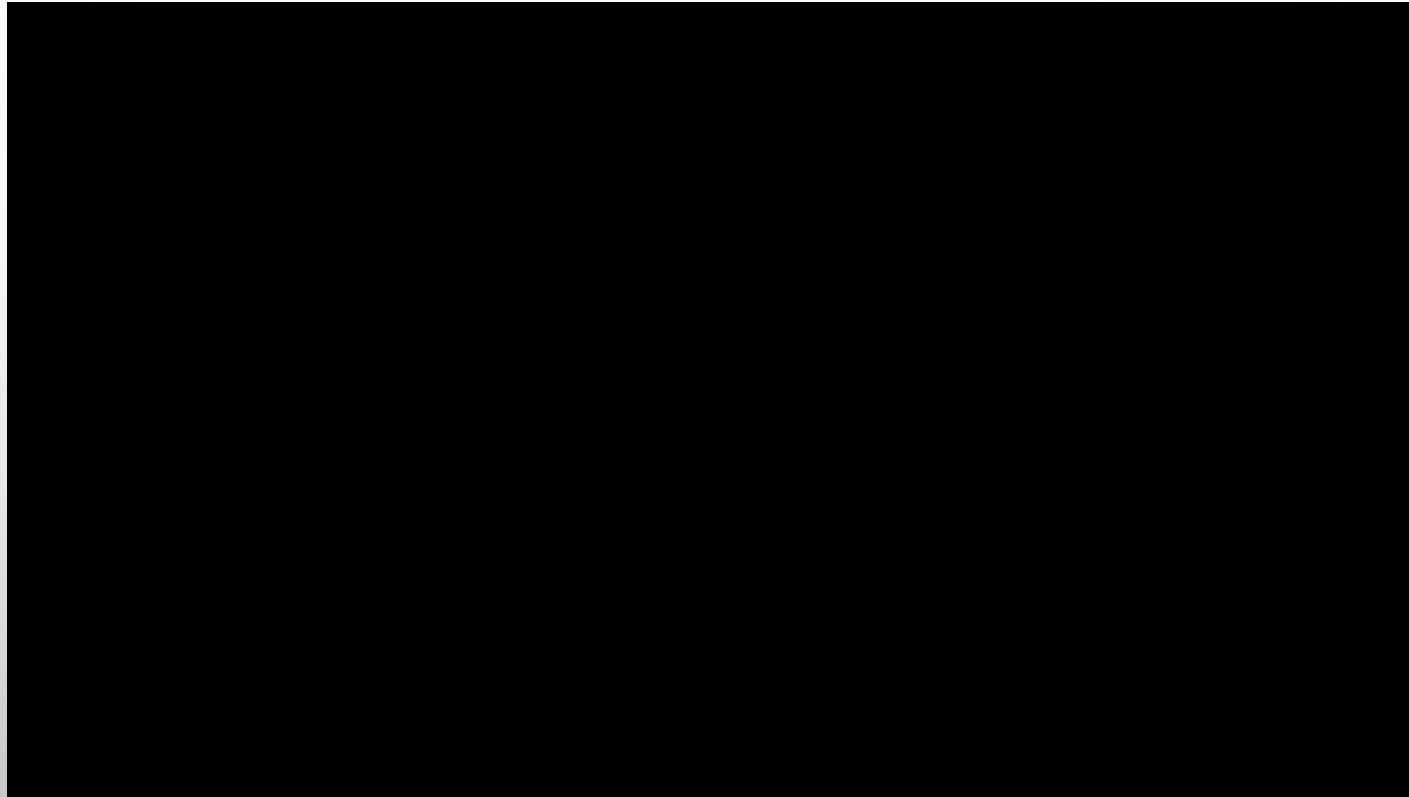
- Not going to be a “perfect” victim
- Often delay reporting crime
- Experience trauma because of the violence
- Are often threatened, afraid, & reluctant
- May feel powerless to stop the violence
- May have vulnerabilities that perpetrator will exploit
- May mistrust police
- Don’t want to “get in trouble” (or get suspect in trouble)

REALITIES OF VAW CRIMES

Perpetrators of VAW

- Plan their crimes
- Ensure there are no witnesses
- Are strategic and calculating
- Engage in targeting and “testing” to select victims
- Groom victims
- Are often repeat offenders with a series of and/or multiple victims
- Escalate violence over time

THE SAFETY OF EVERYONE INVOLVED!



<https://www.theiacp.org/resources/video/the-crime-of-domestic-violence-roll-call-video>

DANGER ASSESSMENT

Jacquelyn C. Campbell, PhD, RN, FAAN

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Several risk factors have been associated with increased risk of homicides (murders) of women and men in violent relationships. We cannot predict what will happen in your case, but we would like you to be aware of the danger of homicide in situations of abuse and for you to see how many of the risk factors apply to your situation.

Using the calendar, please mark the approximate dates during the past year when you were abused by your partner or ex partner. Write on that date how bad the incident was according to the following scale:

1. Slapping, pushing; no injuries and/or lasting pain
2. Punching, kicking; bruises, cuts, and/or continuing pain
3. "Beating up"; severe contusions, burns, broken bones, miscarriage
4. Threat to use weapon; head injury, internal injury, permanent injury, miscarriage
5. Use of weapon; wounds from weapon

(If any of the descriptions for the higher number apply, use the higher number.)

Mark Yes or No for each of the following.

("He" refers to your husband, partner, ex-husband, ex-partner, or whoever is currently physically hurting you.)

Yes	No	
<input type="checkbox"/>	<input type="checkbox"/>	1. Has the physical violence increased in severity or frequency over the past year?
<input type="checkbox"/>	<input type="checkbox"/>	2. Does he own a gun?
<input type="checkbox"/>	<input type="checkbox"/>	3. Have you left him after living together during the past year?
<input type="checkbox"/>	<input type="checkbox"/>	3a. (If have <i>never</i> lived with him, check here <input type="checkbox"/>)
<input type="checkbox"/>	<input type="checkbox"/>	4. Is he unemployed?
<input type="checkbox"/>	<input type="checkbox"/>	5. Has he ever used a weapon against you or threatened you with a lethal weapon?
<input type="checkbox"/>	<input type="checkbox"/>	5a. (If yes, was the weapon a gun? <input type="checkbox"/>)
<input type="checkbox"/>	<input type="checkbox"/>	6. Does he threaten to kill you?
<input type="checkbox"/>	<input type="checkbox"/>	7. Has he avoided being arrested for domestic violence?
<input type="checkbox"/>	<input type="checkbox"/>	8. Do you have a child that is not his?
<input type="checkbox"/>	<input type="checkbox"/>	9. Has he ever forced you to have sex when you did not wish to do so?
<input type="checkbox"/>	<input type="checkbox"/>	10. Does he ever try to choke you?
<input type="checkbox"/>	<input type="checkbox"/>	11. Does he use illegal drugs? By drugs, I mean "uppers" or amphetamines, speed, angel dust, cocaine, "crack", street drugs or mixtures.
<input type="checkbox"/>	<input type="checkbox"/>	12. Is he an alcoholic or problem drinker?
<input type="checkbox"/>	<input type="checkbox"/>	13. Does he control most or all of your daily activities? (For instance: does he tell you who you can be friends with, when you can see your family, how much money you can use, or when you can take the car?
<input type="checkbox"/>	<input type="checkbox"/>	(If he tries, but you do not let him, check here: <input type="checkbox"/>)
<input type="checkbox"/>	<input type="checkbox"/>	14. Is he violently and constantly jealous of you?
<input type="checkbox"/>	<input type="checkbox"/>	(For instance, does he say "If I can't have you, no one can.")
<input type="checkbox"/>	<input type="checkbox"/>	15. Have you ever been beaten by him while you were pregnant?
<input type="checkbox"/>	<input type="checkbox"/>	(If you have never been pregnant by him, check here: <input type="checkbox"/>)
<input type="checkbox"/>	<input type="checkbox"/>	16. Has he ever threatened or tried to commit suicide?
<input type="checkbox"/>	<input type="checkbox"/>	17. Does he threaten to harm your children?
<input type="checkbox"/>	<input type="checkbox"/>	18. Do you believe he is capable of killing you?
<input type="checkbox"/>	<input type="checkbox"/>	19. Does he follow or spy on you, leave threatening notes or messages on answering machine, destroy your property, or call you when you don't want him to?
<input type="checkbox"/>	<input type="checkbox"/>	20. Have you ever threatened or tried to commit suicide?
<input type="checkbox"/>	<input type="checkbox"/>	Total "Yes" Answers

Thank you. Please talk to your nurse, advocate or counselor about what the Danger Assessment means in terms of your situation.

RISK/LETHALITY ASSESSMENT

- DIFFICULT BUT CRUCIAL
- DOMESTIC VIOLENCE + SEXUAL ASSAULT
- 7X GREATER CHANCE OF HOMICIDE
- HEIGHTENED RISK
- MULTI-FACETED ASSESSMENT
- RISK OF ESCALATING VIOLENCE
- SEXUAL ABUSE



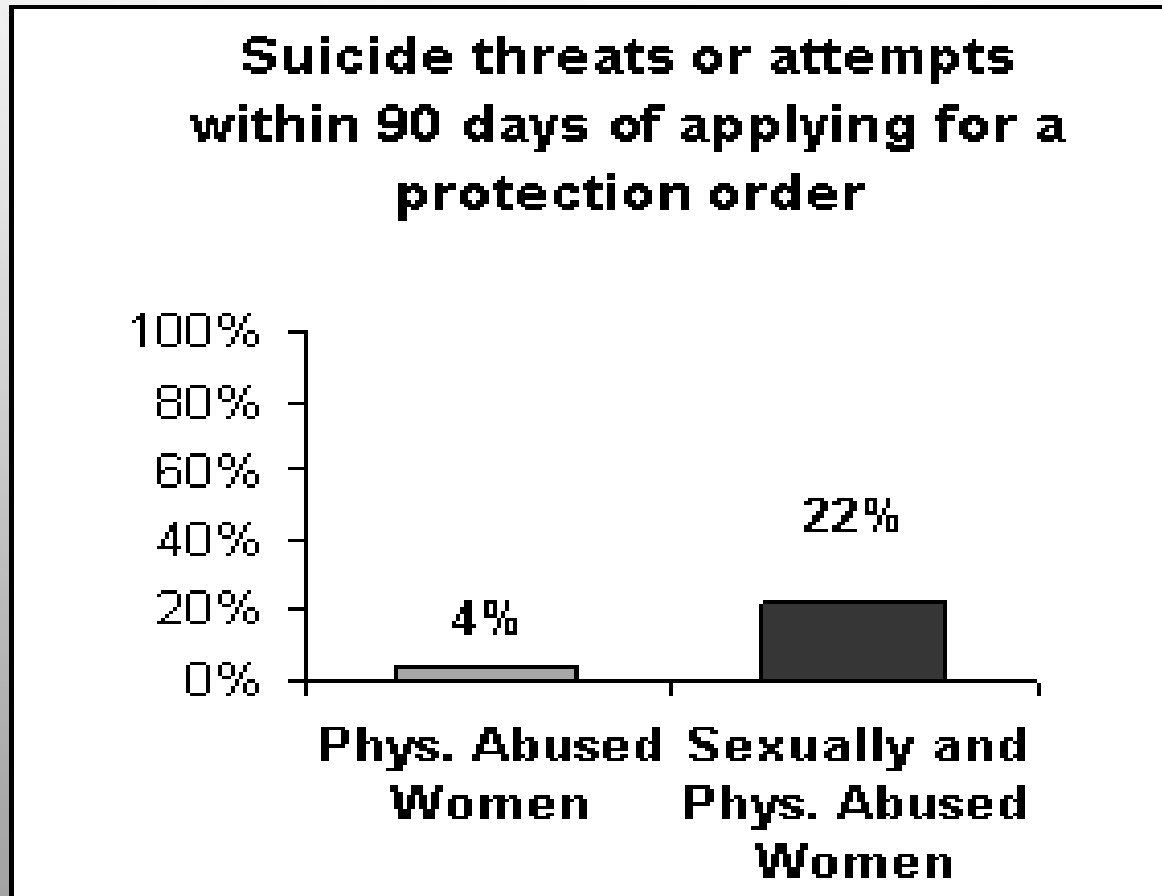
SEPARATION AND RISK

- REALITY: LEAVING = DANGER
- SEXUAL ABUSE
- 1 IN 5
- NIJ NATIONAL VIOLENCE AGAINST WOMEN SURVEY
24.7 % - BEFORE AND AFTER
- ADDITIONAL 6.3%



SUICIDE

- 30% - MURDER/SUICIDE
- THE VICTIM MAY KILL HERSELF

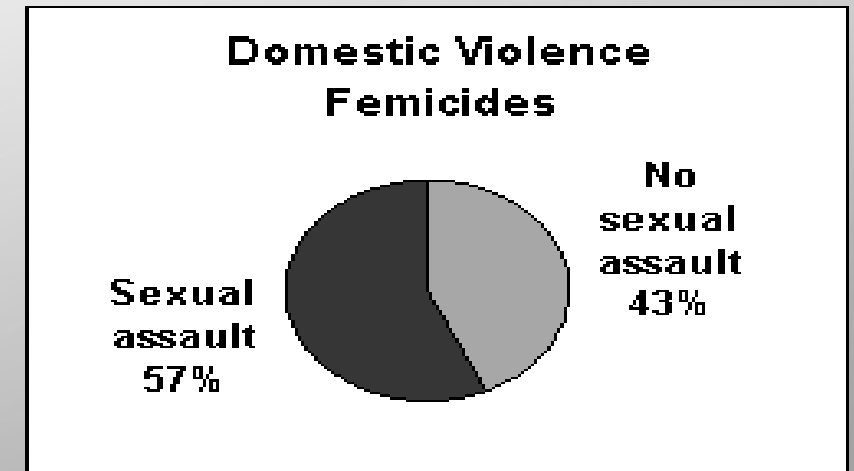


FEMICIDE

- 2005 – 1,181 WOMEN
- SEXUAL ASSAULT – LEADING INDICATOR



- JACQUELYN C. CAMPBELL, PHD
- 11 CITY STUDY



LETHALITY

ABUSE + SEXUAL ASSAULT & MURDER

6 TYPES OF POTENTIAL LETHALITY

1. THE ABUSER MAY KILL THE VICTIM
 2. THE ABUSER MAY KILL THE COUPLE'S CHILDREN
 3. THE ABUSER MAY KILL A 3RD PARTY (INCLUDING POLICE)
 4. THE ABUSER MAY KILL HIMSELF
 5. THE VICTIM MAY KILL HERSELF
 6. THE VICTIM MAY KILL THE ABUSER
- INFORMING THE COURT



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Mark Yes or No for each of the following.

("He" refers to your husband, partner, ex-husband, ex-partner, or whoever is currently physically hurting you.)

- | Yes | No | |
|-------|-------|---|
| _____ | _____ | 1. Has the physical violence increased in severity or frequency over the past year? |
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| _____ | _____ | 4. Is he unemployed? |
| _____ | _____ | 5. Has he ever used a weapon against you or threatened you with a lethal weapon? |
| _____ | _____ | 5a. (If yes, was the weapon a gun? _____) |
| _____ | _____ | 6. Does he threaten to kill you? |
| _____ | _____ | 7. Has he avoided being arrested for domestic violence? |
| _____ | _____ | 8. Do you have a child that is not his? |
| _____ | _____ | 9. Has he ever forced you to have sex when you did not wish to do so? |
| _____ | _____ | 10. Does he ever try to choke you? |

Do he ever try to choke you?

- | | | | |
|-------|-------|-------|--|
| _____ | _____ | _____ | (If he tries, but you do not let him, check here: _____) |
| _____ | _____ | 14. | Is he violently and constantly jealous of you? |
| _____ | _____ | | (For instance, does he say "If I can't have you, no one can.") |
| _____ | _____ | 15. | Have you ever been beaten by him while you were pregnant? |
| _____ | _____ | | (If you have never been pregnant by him, check here: _____) |
| _____ | _____ | 16. | Has he ever threatened or tried to commit suicide? |
| _____ | _____ | 17. | Does he threaten to harm your children? |
| _____ | _____ | 18. | Do you believe he is capable of killing you? |
| _____ | _____ | 19. | Does he follow or spy on you, leave threatening notes or messages on answering machine, destroy your property, or call you when you don't want him to? |
| _____ | _____ | 20. | Have you ever threatened or tried to commit suicide? |
| _____ | _____ | | Total "Yes" Answers |

Thank you. Please talk to your nurse, advocate or counselor about what the Danger Assessment means in terms of your situation.

STRANGULATION

- AT LEAST 50% OF ALL DV CASES INCLUDE **SEXUAL ASSAULT**.
- AT LEAST 25% OF ALL DV CASES INCLUDE **STRANGULATION**.
- AT LEAST 25% OF ALL SEXUAL ASSAULT CASES INCLUDE **STRANGULATION**.
- IT'S DIFFICULT FOR VICTIMS TO TALK ABOUT SEXUAL ASSAULT AND IT'S DIFFICULT FOR PROFESSIONALS TO ASK.



INTERCONNECTED NATURE OF ABUSE



- 77% OF INTIMATE PARTNER FEMICIDES WERE BY HANDGUNS
- 89% OF FEMICIDE VICTIMS WHO HAD BEEN PHYSICALLY ABUSED HAD ALSO BEEN STALKED IN THE 12 MONTHS BEFORE THE MURDER

DANGER ASSESSMENT

Jacquelyn C. Campbell, PhD, RN, FAAN

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Several risk factors have been associated with increased risk of homicides (murders) of women and men in violent relationships. We cannot predict what will happen in your case, but we would like you to be aware of the danger of homicide in situations of abuse and for you to see how many of the risk factors apply to your situation.

Using the calendar, please mark the approximate dates during the past year when you were abused by your partner or ex partner. Write on that date how bad the incident was according to the following scale:

1. Slapping, pushing; no injuries and/or lasting pain
2. Punching, kicking; bruises, cuts, and/or continuing pain
3. "Beating up"; severe contusions, burns, broken bones, miscarriage
4. Threat to use weapon; head injury, internal injury, permanent injury, miscarriage
5. Use of weapon; wounds from weapon

(If any of the descriptions for the higher number apply, use the higher number.)

Mark Yes or No for each of the following.

("He" refers to your husband, partner, ex-husband, ex-partner, or whoever is currently physically hurting you.)

- | Yes | No | |
|-------|-------|---|
| _____ | _____ | 1. Has the physical violence increased in severity or frequency over the past year? |
| _____ | _____ | 2. Does he own a gun? |

Has he avoided being arrested for domestic violence?

- | | | |
|-------|-------|--|
| _____ | _____ | 11. Does he use illegal drugs? By drugs, I mean "uppers" or amphetamines, speed, angel dust, cocaine, "crack", street drugs or mixtures. |
| _____ | _____ | 12. Is he an alcoholic or problem drinker? |
| _____ | _____ | 13. Does he control most or all of your daily activities? (For instance: does he tell you who you can be friends with, when you can see your family, how much money you can use, or when you can take the car?
(If he tries, but you do not let him, check here: _____) |
| _____ | _____ | 14. Is he violently and constantly jealous of you?
(For instance, does he say "If I can't have you, no one can.") |
| _____ | _____ | 15. Have you ever been beaten by him while you were pregnant?
(If you have never been pregnant by him, check here: _____) |
| _____ | _____ | 16. Has he ever threatened or tried to commit suicide? |
| _____ | _____ | 17. Does he threaten to harm your children? |
| _____ | _____ | 18. Do you believe he is capable of killing you? |
| _____ | _____ | 19. Does he follow or spy on you, leave threatening notes or messages on answering machine, destroy your property, or call you when you don't want him to? |
| _____ | _____ | 20. Have you ever threatened or tried to commit suicide? |
| _____ | _____ | Total "Yes" Answers |

Thank you. Please talk to your nurse, advocate or counselor about what the Danger Assessment means in terms of your situation.

AN ANALYSIS OF OFFICERS KILLED RESPONDING TO DOMESTIC DISPUTES

(NATIONWIDE FLETC STUDY OVER A 10-YEAR PERIOD)

- MOST OFFICERS KILLED NOT ALONE

- THOSE KILLED ALONE HAD 4+ YEARS

- MOST DIED APPROACHING

- 41% OF ARRIVING OFFICERS HAD INDICATION OF LETHAL DANGER

- HALF WERE EXITING VEHICLE

- MOST PERPETRATORS HAD HOMICIDAL INTENT

- 2ND MOST KILLED ON INITIAL CONTACT



- 1ST MINUTE THE MOST DEADLY

- IMPATIENCE OF OFFICER(S)

- ALCOHOL PRESENT IN MOST CASES

- FAILURE TO RESTRICT MOVEMENT OF PERPETRATOR

- 57% OF PERPETRATORS WERE EMOTIONAL UNSTABLE/SUICIDAL

- FREQUENT FLYER

- KILLED WHILE HANDCUFFING



DANGER ASSESSMENT

Jacquelyn C. Campbell, PhD, RN, FAAN

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Several risk factors have been associated with increased risk of homicides (murders) of women and men in violent relationships. We cannot predict what will happen in your case, but we would like you to be aware of the danger of homicide in situations of abuse and for you to see how many of the risk factors apply to your situation.

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3. "Beating up"; severe contusions, burns, broken bones, miscarriage
4. Threat to use weapon; head injury, internal injury, permanent injury, miscarriage
5. Use of weapon; wounds from weapon


Has he ever used a weapon against you or threatened you with a lethal weapon?
If yes, was the weapon a gun?

- ___ 8. Do you have a child that is not his?
___ 9. Has he ever forced you to have sex when you did not wish to do so?
___ 10. Does he ever try to choke you?
___ 11. Does he use illegal drugs? By drugs I mean "uppers" or amphetamines, speed, alcohol,

Does he own a gun?

- ___ 14. (If he tries, but you do not let him, check here: ___)
Is he violently and constantly jealous of you?
(For instance, does he say "If I can't have you, no one can.")
___ 15. Have you ever been beaten by him while you were pregnant?
(If you have never been pregnant by him, check here: ___)
___ 16. Has he ever threatened or tried to commit suicide?
___ 17. Does he threaten to harm your children?
___ 18. Do you believe he is capable of killing you?
___ 19. Does he follow or spy on you, leave threatening notes or messages on answering machine, destroy your property, or call you when you don't want him to?
___ 20. Have you ever threatened or tried to commit suicide?
___ Total "Yes" Answers

Thank you. Please talk to your nurse, advocate or counselor about what the Danger Assessment means in terms of your situation.

A black and white photograph of a magnifying glass with a black handle and frame. The lens is focused on a piece of paper with the word "Research" written in a dark, cursive script. The background is a dark, textured surface with several water droplets of varying sizes. The lighting creates highlights on the paper and the lens.

Research

DV, LAW ENFORCEMENT & FIREARMS

- 4 % OF DV VICTIMS
- 3-FOLD INCREASE IN HOMICIDE RISK
- 8-FOLD INCREASE W/+ OF DV
- HOMICIDE VICTIMS
OVERWHELMINGLY FEMALE
- HANDGUNS PRIMARY CULPRIT
- FIREARMS RESTRICTION = HOMICIDE
REDUCTION

(JOHNS HOPKINS UNIVERSITY FACT SHEET: CENTER FOR GUN POLICY AND
RESEARCH)

DO YOU KNOW WHO SHOULD NOT BE IN UNLAWFUL POSSESSION OF FIREARMS UNDER THE LAW?

- 18 U.S.C. 921 (A) (33) NECESSARY ELEMENTS OF QUALIFYING MISDEMEANOR OF DOMESTIC VIOLENCE
- 18 U.S.C. 922 (G) (1) CONVICTION > 1 YEAR
- 18 U.S.C. 922 (G) (2) FUGITIVE FROM JUSTICE
- 18 U.S.C. 922 (G) (3) CDS USER
- 18 U.S.C. 922 (G) (4) MENTAL ISSUES
- 18 U.S.C. 922 (G) (5) (A) ILLEGAL ALIEN
- 18 U.S.C. 922 (G) (6) DISHONORABLE DISCHARGE





**MEN WHO STRANGLE, COP KILLERS,
AND MASS MURDERERS HAVE ONE
THING IN COMMON...**

CHILDHOOD TRAUMA...

The background of the slide features a light gray gradient. It is decorated with numerous realistic water droplets of various sizes, some with highlights and shadows, giving them a 3D appearance. Faint, thin white circles are also scattered across the background, some overlapping with the droplets.

**BY THE TIME THEY KILL A POLICE
OFFICER OR BECOME MASS
MURDERERS...**

**NO ONE CARES ABOUT THEIR CHILDHOOD TRAUMA BUT DON'T
FORGET THE IMPORTANCE OF ADDRESSING IT IN YOUR HOMICIDE
PREVENTION STRATEGY...**



DO YOU KNOW WHO SHOULD NOT BE IN UNLAWFUL POSSESSION OF FIREARMS UNDER THE LAW?

- 18 U.S.C. 922 (G) (7)
RENOUNCED CITIZENSHIP
- 18 U.S.C. 922 (G) (8) SUBJECT
TO COURT ORDER
- 18 U.S.C. 922 (G) (9)
QUALIFYING MISDEMEANOR
CONVICTION
- 18 U.S.C. 922 (G) (N) UNDER
INDICTMENT/CRIME
PUNISHABLE > 1 YEAR

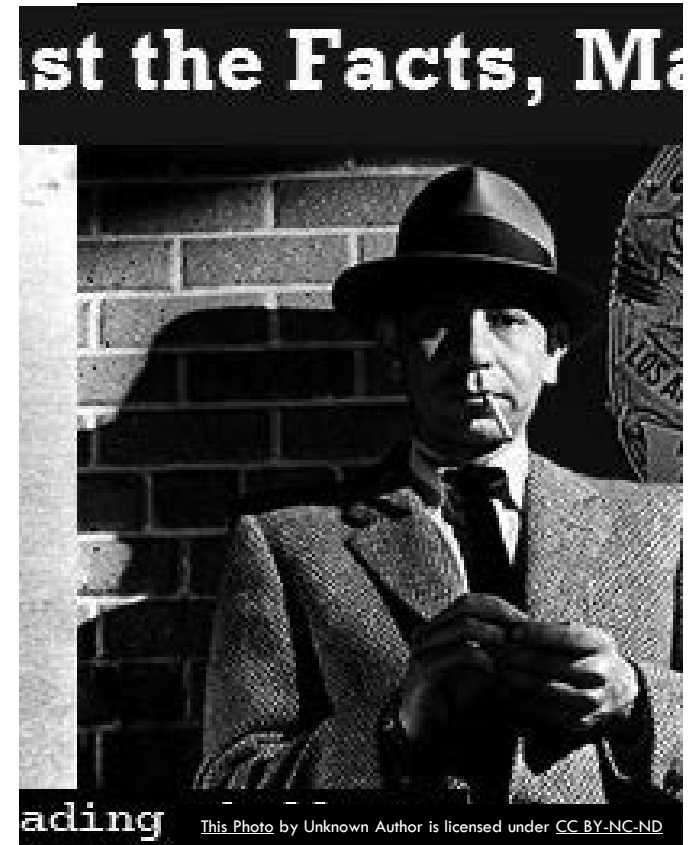
DISCUSSION

JOURNAL OF FAMILY VIOLENCE

- DOMESTIC VIOLENCE INCIDENTS COMPRISE A SIGNIFICANT PORTION OF CALLS FOR SERVICE. *(PINZZOTTO ET AL., 1997)*
- THESE CALLS ARE UNIVERSALLY VIEWED AS DANGEROUS FOR 1ST RESPONDERS DUE TO FREQUENT HIGH LEVELS OF EMOTIONAL VOLATILITY AND PHYSICAL AGGRESSION.
(PINZZOTTO ET AL., 1997)
- NEARLY 80% OF ALL HOSTAGE SITUATIONS ARE RELATIONSHIP DRIVEN. *(FLOOD, 2003; ROMANO, 2003)*

DO YOU KNOW THE NATIONAL LANDSCAPE

- WHAT PERCENTAGE OF OFFICER LINE OF DUTY DEATHS ARE BY WAY OF FIREARMS?
- STATE PRIVATE OWNERSHIP OF GUNS WAS ASSOCIATED WITH LESS OFFICERS KILLED IN THE LINE OF DUTY? TRUE OR FALSE
- STATE PRIVATE OWNERSHIP OF GUNS WAS ASSOCIATED WITH A LOWER VIOLENT CRIME? TRUE OR FALSE
- STATES WITH THE HIGHEST GUN OWNERSHIP HAD 3X THE OFFICERS KILLED IN THE LINE OF DUTY? TRUE OR FALSE



THE SAFETY OF EVERYONE INVOLVED!

- Domestic violence calls are **one of the deadliest calls** for service for law enforcement.
- According to the 2020 National Law Enforcement Officers Fatalities Report,
- Out of the **264 police officers killed in the line of duty in 2020**, the second highest cause of death was **firearms-related fatalities**,
- Where 48 officers were killed in the line of duty – and **7 out of those 48 being officers responding to domestic violence calls**.

THE SAFETY OF EVERYONE INVOLVED!

- NUMEROUS MORE OFFICERS HAVE BEEN SEVERELY WOUNDED ON DOMESTIC DISTURBANCE CALLS OVER THE RECENT YEARS.
- IN A 2017 STUDY, 33 OF 40 OFFICERS KILLED IN INTENTIONAL HOMICIDES WERE MURDERED BY MEN WITH A HISTORY OF DOMESTIC VIOLENCE.
- IN ANOTHER STUDY LOOKING AT OFFICERS KILLED BETWEEN 1993 AND 2013, 50% WERE KILLED BY A CRIMINAL SUSPECT WITH A PUBLIC RECORDS ACT HISTORY OF STRANGULATION ASSAULT AGAINST WOMEN.
- BETWEEN 2017 AND 2020, 182 OFFICERS WERE KILLED BY FIREARMS, 46 OF THESE OFFICERS WERE KILLED BY IPV OFFENDERS.

BOTTOM LINE

GET IT RIGHT THE FIRST TIME,

DO A THOROUGH INVESTIGATION!



SELF DEFENSE

- AN *ABSOLUTE DEFENSE* TO ASSAULT AND BATTERY
- LEGAL USE = ABSOLUTION OF GUILT/CULPABILITY
- CERTAIN CIRCUMSTANCES = *REASONABLE AMOUNT OF FORCE*
- JUSTIFICATION = ACTUAL BELIEF (*IMMINENT DANGER*) + REASONABLE GROUNDS



WAS IT JUSTIFIED?

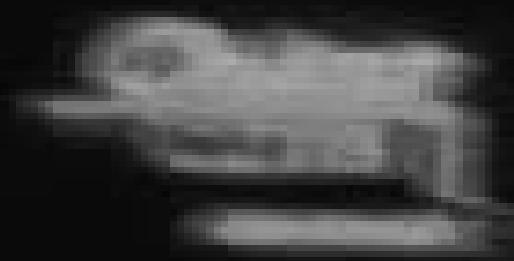
QUESTION IS NOT:

“DO I (THE INVESTIGATOR, FACT FINDER) *BELIEVE FORCE WAS NECESSARY?*”



QUESTION IS:

“*UNDER THE CIRCUMSTANCES, AS THEY APPEARED AT THE TIME OF THE INCIDENT DID THE INDIVIDUAL IN QUESTION BELIEVE THAT SHE WAS IN IMMINENT DANGER?*”



SELF-DEFENSE DETERMINATION

- ARE YOU ABLE TO DESCRIBE WHAT YOU THOUGHT WAS GOING TO HAPPEN?
- CAN YOU TELL ME MORE ABOUT THAT?
- WHAT WAS GOING ON IN YOUR MIND WHEN YOU PICKED UP THE KNIFE?
- WHAT MADE YOU THINK THAT?
- CAN YOU DESCRIBE WHAT YOU WERE THINKING AND FEELING WHEN HE CAME NEAR YOU?
- WHAT CAUSED YOU TO THINK THAT?



REMEMBER: ALWAYS MAKE A SELF-DEFENSE DETERMINATION BEFORE DOING A PREDOMINANT AGGRESSOR DETERMINATION. PREDOMINANT AGGRESSOR ONLY APPLIES TO WHEN THE OFFICER HAD DETERMINED THAT BOTH PARTIES ACTED ILLEGALLY AND NEITHER ACTED IN SELF-DEFENSE.

DO WOMEN USE VIOLENCE?

IN A WORD, ***YES!***

HISTORICALLY IN MANY SOCIETIES AS A PART OF:

- VIOLENT POLITICAL REVOLUTIONS
- TERRORIST ACTIVITIES
- AGGRESSIVE NATIONALIST MOVEMENTS
- AGAINST CHILDREN AND THE ELDERLY
- IN SAME SEX RELATIONSHIPS



ABUSIVE RELATIONSHIPS

Do mutually abusive relationships exist?

- RELATIONSHIPS WHERE **BOTH** PARTNERS EXHIBIT VIOLENT ABUSIVE BEHAVIOR IN WHICH CONTROL AND POWER ARE THE INTENT.
- DV RESEARCHERS CONTEND THIS TYPE OF RELATIONSHIP IS RARE IN DOMESTIC VIOLENCE SITUATIONS.
- THESE RELATIONSHIPS ARE SEEN AS THE EXCEPTION AND NOT THE RULE.

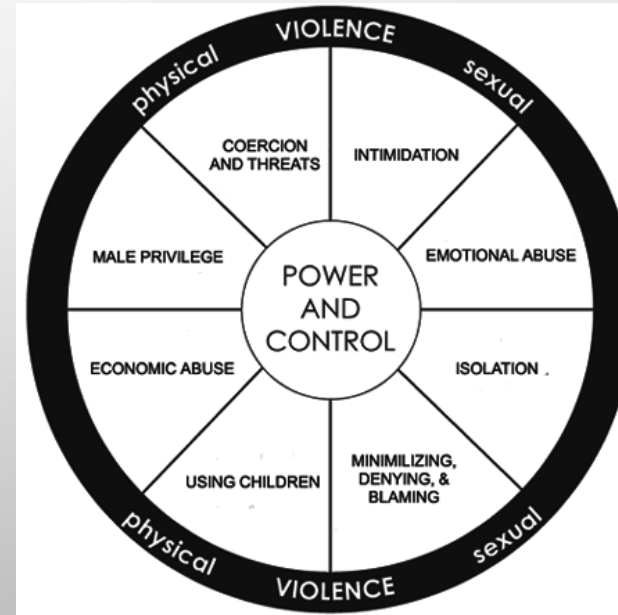
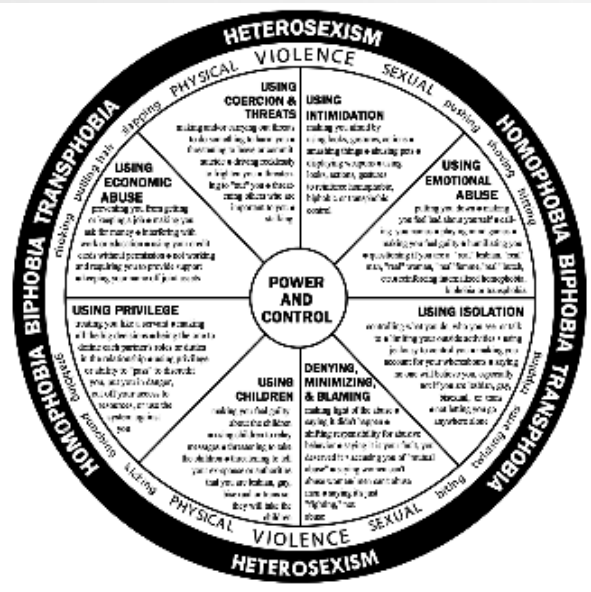




WHAT SHOULD OUR FOCUS BE?



- POWER AND CONTROL?
- CONTEXT OF THE VIOLENCE?
- SIMPLISTIC NUMBERS?
- SOCIAL INEQUITIES & GENDER ROLES?
- MEANING AND CONSEQUENCES?
- THE FACTS?



CONTEXT MEANS...

- OFFENDER'S **INTENT** OR MOTIVATION IN HIS/HER USE OF VIOLENCE
- **MEANING** OF THE VIOLENCE TO THE VICTIM
- **EFFECT** OF THE ACT ON THE VICTIM
 - LETHALITY AND RISK OF FURTHER VIOLENCE
 - RISK OF OTHER, NONVIOLENT ABUSE OR INTIMIDATION OF THE VICTIM

LORETTA FREDERICK (2006)

COMPREHENDING BATTERING/VIOLENCE

IF WE COMPREHEND BATTERING ONLY IN TERMS OF
VIOLENCE, CAN WE FULLY

CONSTRUE ITS FULL IMPLICATION?

SCENARIO:

A MAN BEING ROBBED BY A STRANGER OVERPOWERS HIM, BREAKING
HIS NOSE AND

MAKES A CITIZENS' ARREST.

- DO WE VIEW ASSAULTING THE POTENTIAL ROBBER (2ND ACT)
DIFFERENTLY THAN THE ASSAULT THE ROBBER MADE UPON THE VICTIM
(1ST ACT)?
- HOW WOULD WE DEEM THE FIRST ACT?
- HOW WOULD WE DEEM THE SECOND ACT?



DEALING WITH THE BULLY

YOUR CHILD COMES HOME COMPLAINING OF BEING **PICKED ON** AT SCHOOL:

- HOW WOULD YOU DETERMINE THEY ARE IN FACT BEING BULLIED?
- **WHO WOULD YOU HAVE THEM TELL** ABOUT THE PROBLEM?
- HOW WOULD YOU TELL THEM TO HANDLE THE PROBLEM?
- **HOW WOULD YOU ATTEMPT TO GET THEM OUT OF THE RELATIONSHIP** WITH THE BULLY?



PLAY



ELP
OPRAH

0:04:25



CASE STUDY

- BOYFRIEND AND GIRLFRIEND RETURNED HOME FROM A NIGHT OUT ON THE TOWN.
- HE CONFESSES TO HER THAT HE HAS HAD SEX WITH ANOTHER WOMAN.
- SHE SLAPPED HIM.
- HE ASSAULTED HER.

SORTING IT OUT

- WHAT ARE YOUR THOUGHTS?
- WHAT WOULD YOU DO ON THIS CALL?
- WHAT, IF ANY, ADDITIONAL INFORMATION DO YOU WANT TO KNOW?



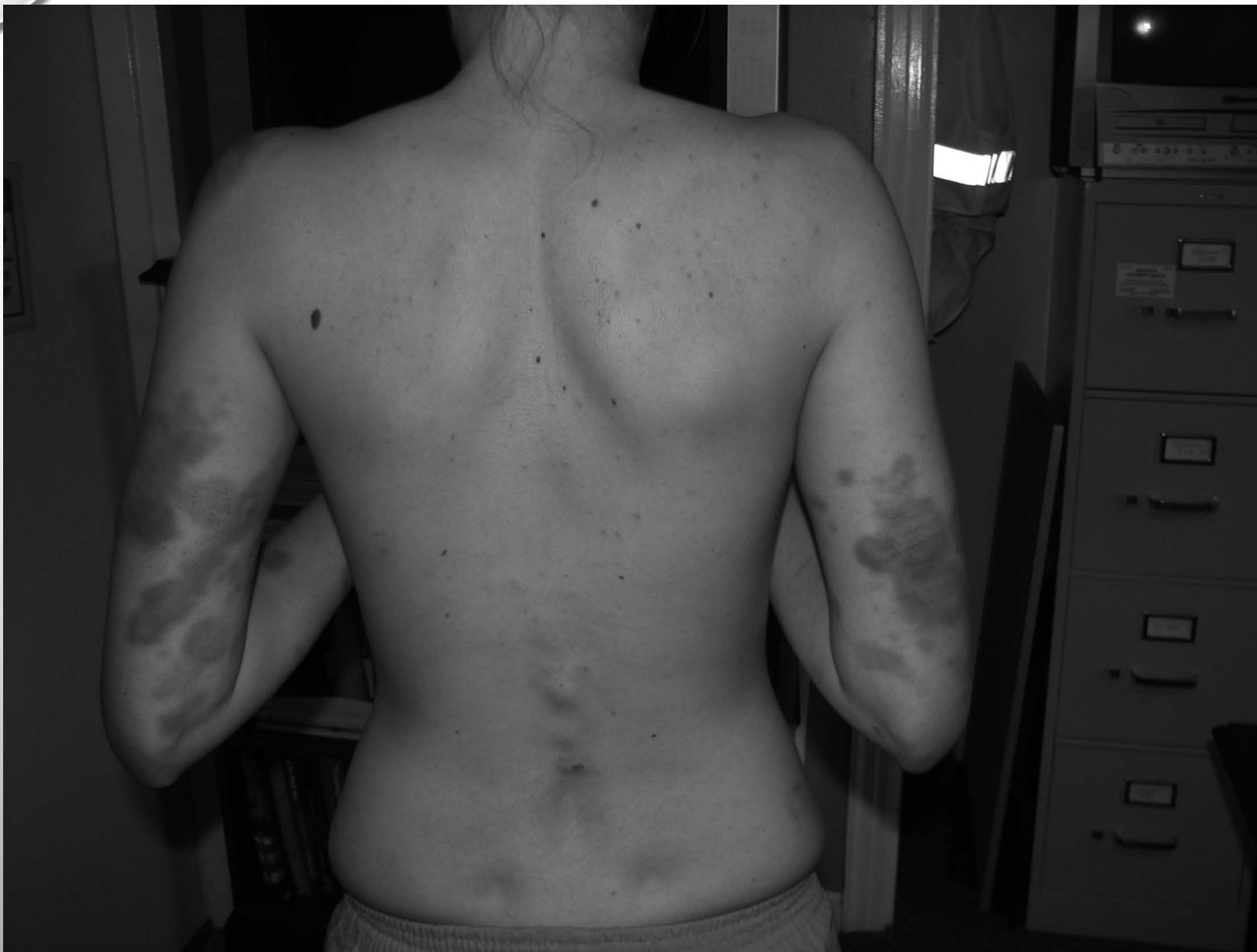
CASE STUDY

- A DEPUTY ARRIVES AND DOES NOT SEE ANY MARKS ON EITHER PARTY.
- BOYFRIEND DOES NOT ADMIT TO ANY WRONGDOING DURING THIS INCIDENT.
- SHE ADMITS TO THE DEPUTY THAT SHE HAD SLAPPED HIM.
- SHE IS ARRESTED BASED ON HER CONFESSION.
- THE FOLLOWING PICTURES WERE TAKEN AT THE JAIL TEN HOURS AFTER THE ARREST.















CASE STUDY

- HER PARENTS TOOK HER FROM THE JAIL TO THE HOSPITAL FOR TREATMENT OF HER INJURIES.
- SHE WAS DIAGNOSED WITH A BROKEN RIB AND HYOID BONE.
- CHARGES AGAINST HER WERE DISMISSED.
- HE WAS CHARGED WITH AGGRAVATED ASSAULT.



SUBSEQUENT INVESTIGATION

- VICTIM STRIKES SUSPECT OUT OF FEAR.
- SUSPECT DRAGS HER ACROSS THE FLOOR AND OUT ONTO THE DECK.
- SUSPECT KICKS AND HITS HER.
- SUSPECT STRANGLES VICTIM UNTIL HIS COUSIN PULLS HIM OFF HER.
- SUSPECT'S COUSIN CORROBORATES VICTIM'S ACCOUNT OF THE EVENTS.



HOW IS THIS ACCOMPLISHED?

PREDOMINANT AGGRESSOR DETERMINATION =

BULLY DETERMINATION



LOOK AT CONTEXT, AND NOT JUST THE SPECIFIC EVENT.

INTIMATE PARTNER OFFENDERS



AS LONG AS WE VIEW IT
AS LESS THAN THE
CRIMINAL ACTIVITY THAT IT
IS, OUR RESPONSE WILL
REMAIN LESS THAN
ADEQUATE.



INFORMED DECISION MAKING

- DIG FOR THE FACTS!
- ATTEMPT TO HAVE THE FACTS *LAID ON THE LINE*.
- GATHER RELEVANT INFORMATION
- BASE DECISION ON THE *TOTALITY OF THE CIRCUMSTANCES*.
- IS THE PREDOMINANT AGGRESSOR THE FIRST DISPUTANT TO ENGAGE IN A *BATTERY*, OR THE ONE WITH *THE GREATEST ABILITY & INCLINATION TO INFLICT PHYSICAL INJURY*?



TOTALITY OF THE CIRCUMSTANCES

- 911 INFORMATION
- WITNESS ACCOUNTS
- OFFICER'S OBSERVATIONS WHICH CORROBORATE/NEGATE ACCOUNTS
- PHYSICAL EVIDENCE
- EITHER PARTIES HISTORY
- OFFICER'S/DEPUTY'S TRAINING AND EDUCATION



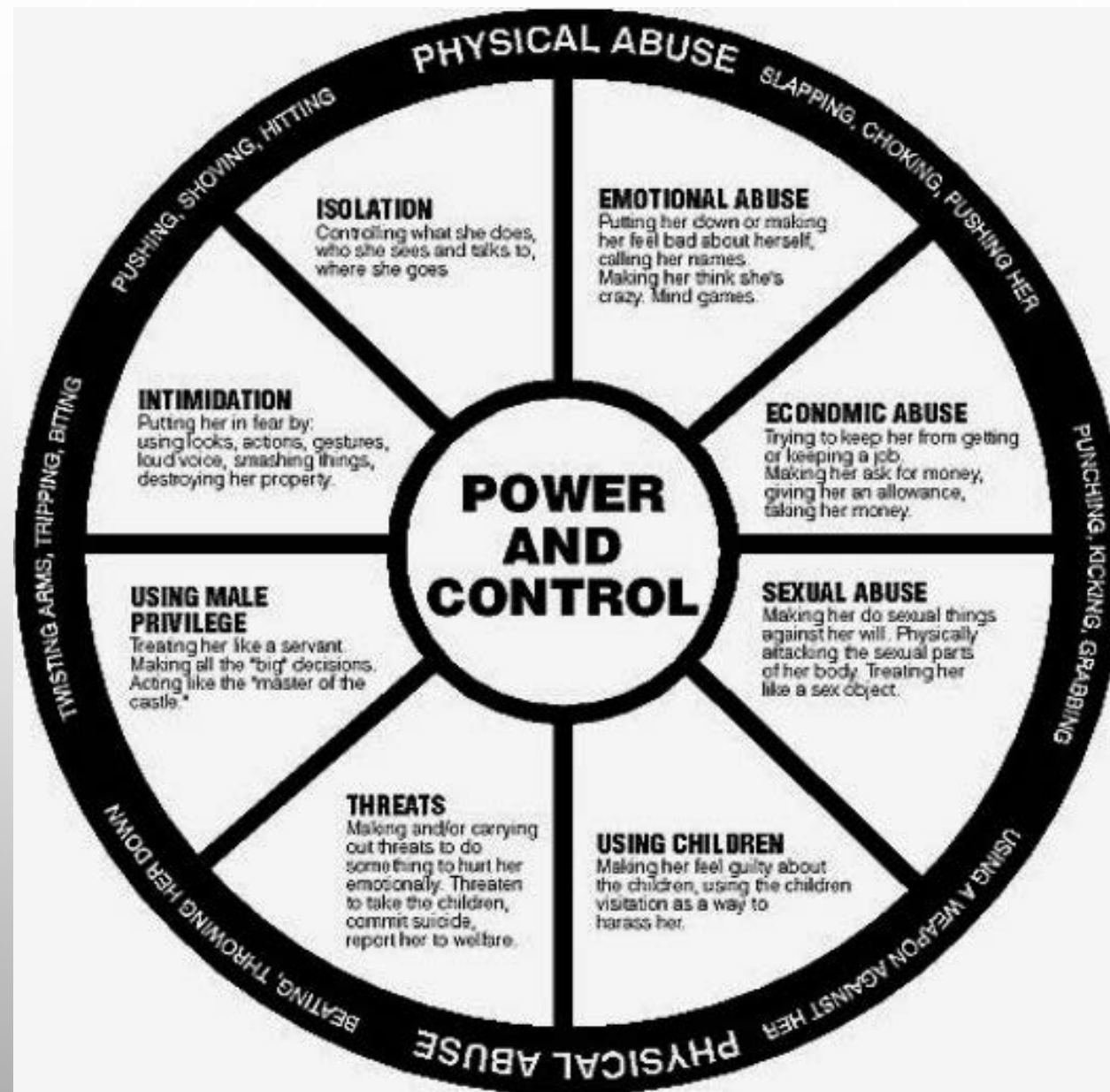
INFORMED DECISION MAKING

YOU MUST ASK YOURSELF:

“JUST BECAUSE ONE COMBATANT IS INJURED DOES THAT AUTOMATICALLY MEAN THAT THE OTHER PERSON IS THE PREDOMINANT AGGRESSOR?”

HAVE YOU EVER INJURED A SUSPECT THAT HAS NOT INJURED YOU EITHER PRIOR TO OR DURING EFFECTING AN ARREST? WHAT HAPPENED? WERE YOU JUSTIFIED IN YOUR USE OF FORCE? DO YOU SEE APPLICABILITY IN DOMESTIC VIOLENCE CASES?





POWER AND CONTROL = CRIMINAL BEHAVIOR

• EMOTIONAL ABUSE.....	SIMPLE ASSAULT
• ECONOMIC ABUSE.....	THEFT, FRAUD, FORGERY
• USING CHILDREN	KIDNAPPING, NEGLECT, ABUSE
• THREATS	STALKING, HARASSMENT, ASSAULT, STRANGULATION
• USING MALE PRIVILEGE	SEXUAL ASSAULT
• INTIMIDATION	VANDALISM, ANIMAL ABUSE, DESTROYING PROPERTY
• ISOLATION	FALSE IMPRISONMENT, KIDNAPPING, CUSTODIAL INTERFERENCE
• MINIMIZING, DENYING, BLAMING	FALSE REPORTS, PROTECTION ORDER VIOLATIONS

INVESTIGATE POWER AND CONTROL

- PRESENCE OF FEAR OF ONE PARTY
- PRESENCE OF OTHER NORMAL RESPONSES OF TRAUMA, E.G. CRYING, HYSTERIA, ANGER, ETC.
- PRESENCE OF CALM AND/OR CONTROLLING BEHAVIOR IN ONE PARTY
- NEED FOR PROTECTION

INVESTIGATE POWER AND CONTROL

- HISTORY OF COMMITTING VIOLENT CRIMES
- HISTORY OF SERVICE CALLS TO THE HOME
- HISTORY OF DOMESTIC VIOLENCE BETWEEN THE PARTIES, OR WITH OTHER VICTIMS
- COMPARATIVE HEIGHT AND WEIGHT
- HISTORY OF PROTECTION ORDERS
- WHO IS MORE CAPABLE OF ASSAULTING THE OTHER?

INVESTIGATE POWER AND CONTROL

- HAS ONE PARTY THREATENED THE OTHER?
- HAS THE THREATENING PARTY CARRIED OUT THEIR THREATS?
- SEVERITY AND ANALYSIS OF INJURIES
- EVIDENCE THAT ONE PARTY ACTED IN SELF-DEFENSE
- THE POTENTIAL FOR FUTURE INJURY

PREDOMINANT AGGRESSOR STATUTE ELEMENTS

- OPPOSING CLAIMS OF DV
- DUAL ARREST **NOT** REQUIRED
- SEPARATE AND INVESTIGATE
- PA DETERMINATION CONSIDERATIONS:

NEED TO PROTECT DV VICTIMS

SELF-DEFENSE

DEGREE OF INJURIES

THREATS

HISTORY OF FAMILY VIOLENCE

- LE SHALL ARREST THE PA



Consider The Following

- Information from 911 Call
- Prior Contacts
- Criminal History
- Past or Present Signs of Fear
- Use of Power & Control Tactics

Did more than one person use or threaten to use violence?

NO

Single Custodial Arrest

YES

Was one of the parties acting in Self Defense?

Injuries sustained from actions consistent with self defense include bite marks on the chest, biceps or forearms and scratches on the face, chest, or neck.

NO

YES

Single Custodial Arrest

Can you determine the primary Physical Aggressor?

Consider

1. The intent of the law to protect victims of domestic violence
2. The relative degree of injury or fear inflicted (Level of violence)
3. An individual's ability to defend themselves
4. Past or present signs of fear
5. Use of Power and Control Tactics to intimidate or threaten victims
6. Criminal history of involved parties
7. Past or present Restraining Orders

YES

Single Custodial Arrest

NO

Were the parties involved Mutual Combatants?

Dual arrests should be limited to those incidents when an officer determines that both parties were mutual combatants, equally involved in the commission of a crime against another person, and neither person was acting in self defense.

Option 1

Arrest and confine the primary physical aggressor. Refer the second party to the District Attorney's Office for review.

Option 2

Review the investigation with an operations supervisor and seek approval before arresting and confining both parties.

AVOIDING MUTUAL/DUAL ARREST & FALSE ARREST

- CLEAR AND LEGAL POLICY
- ACTIVE ENFORCEMENT/ADMINISTRATION OF THE POLICY
- TRAINING – TRAINING – TRAINING
- DISCIPLINE
- EVALUATION



IF UNABLE TO DETERMINE PREDOMINANT AGGRESSOR

- ASSESS THE SAFETY OF THE PARTIES AND ANY CHILDREN PRESENT; TRY TO CONVINCE THE PARTIES TO SEPARATE FOR THE EVENING
- PETITION FOR AN EMERGENCY PROTECTIVE ORDER IF APPROPRIATE
- SOMEONE DOES NOT ALWAYS HAVE TO GO TO JAIL; DON'T ARREST BOTH PARTIES IF YOU ARE UNABLE TO DETERMINE THE PREDOMINANT AGGRESSOR
- DOCUMENT YOUR DECISION

UTILIZE YOUR PARTNERS

PROSECUTOR'S OFFICE

- WHAT DO YOU NEED IN THE REPORT?
- WHAT HAPPENS WITH DUAL ARREST?

COMMUNITY/SYSTEM-BASED ADVOCATES

WHAT DO YOU HEAR FROM VICTIMS ABOUT:

- OFFENSIVE/DEFENSIVE INJURIES
- WHY FORCE WAS USED AGAINST ABUSER
- WHAT'S A POSITIVE/APPROPRIATE LE RESPONSE LOOK LIKE?



Photo by Unknown Author is licensed under CC BY-SA 4.0

SUMMARY

- THOROUGH INVESTIGATION LOOKING AT THE CONTEXT AND HISTORY
- SELF-DEFENSE, USE OF FORCE, ANALYSIS OF INJURIES
- POWER AND CONTROL
- DOCUMENT DECISIONS AND EVIDENCE
- PARTNERSHIPS AND COLLABORATION

IACP RESOURCES

- ONLINE RESOURCE LIBRARY: [HTTPS://WWW.THEIACP.ORG/PROJECTS/POLICE-RESPONSE-TO-VIOLENCE-AGAINST-WOMEN-VAW](https://www.theiacp.org/projects/police-response-to-violence-against-women-vaw)
 - FREE ROLL CALL TRAINING VIDEOS ON: DOMESTIC VIOLENCE, SEXUAL ASSAULT, HUMAN TRAFFICKING, VICTIM COMPENSATION, ELDER ABUSE
- IACP INFORMATION ON TRAUMA: [HTTPS://WWW.THEIACP.ORG/PROJECTS/TRAUMA-INFORMED-SEXUAL-ASSAULT-INVESTIGATION-TRAINING](https://www.theiacp.org/projects/trauma-informed-sexual-assault-investigation-training)
- CONTACT US FOR TRAINING AND TECHNICAL ASSISTANCE:
 - STOPVIOLENCE@THEIACP.ORG

NATIONAL RESOURCES

- EVAWI RESOURCE LIBRARY WWW.EVAWINTL.ORG/LIBRARY/DEFAULT.ASPX
- AEQUITAS (PROSECUTORS)
[HTTPS://AEQUITASRESOURCE.ORG/](https://AEQUITASRESOURCE.ORG/)
- NATIONAL NETWORK TO END DOMESTIC VIOLENCE
[HTTPS://NNEDV.ORG/RESOURCES/](https://NNEDV.ORG/RESOURCES/)
- NATIONAL COALITION AGAINST DOMESTIC VIOLENCE
[HTTPS://NCADV.ORG/RESOURCES](https://NCADV.ORG/RESOURCES)
- FAMILY JUSTICE CENTER ALLIANCE
WWW.FAMILYJUSTICECENTER.ORG/RESOURCES/

NATIONAL RESOURCES

- STRANGULATION TRAINING INSTITUTE
WWW.STRANGULATIONTRAININGINSTITUTE.COM
- STALKING PREVENTION, AWARENESS, AND RESOURCE CENTER (SPARC)
WWW.STALKINGAWARENESS.ORG
- TOOLKIT FOR LE AND LEGAL PROFESSIONALS ON UNDERSTANDING & INVESTIGATING TECHNOLOGY MISUSE
WWW.TECHSAFETY.ORG/LEGAL-TOOLKIT
- SEXUAL ASSAULT KIT INITIATIVE TOOLKIT: THE NEUROBIOLOGY OF TRAUMA
[HTTPS://SAKITTA.ORG/TOOLKIT/INDEX.CFM?FUSEACTION=TOOL&TOOL=48](https://SAKITTA.ORG/TOOLKIT/INDEX.CFM?FUSEACTION=TOOL&TOOL=48)
- VICARIOUS TRAUMA TOOLKIT
[HTTPS://VTT.OVC.OJP.GOV/](https://VTT.OVC.OJP.GOV/)

LOCAL RESOURCES

- LOCAL DOMESTIC VIOLENCE SHELTERS, SUPPORT SERVICES, AND ADVOCATES
 - WHAT ORGANIZATIONS DO YOU WORK WITH?
 - WHAT NEW ORGANIZATIONS COULD YOU WORK WITH?
- STATE DOMESTIC VIOLENCE AND SEXUAL ASSAULT COALITIONS

QUESTIONS



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Visit <http://www.iacp.org/violence-against-women> for IACP resources, tools,
and training that address violence against women.