

# Domestic Violence Coordinating Council

2012

Annual Report  
&  
Fatal Incident Review Team Report



# **Domestic Violence Coordinating Council**

## **2012 Annual Report**

**And**

## **Fatal Incident Review Team Report**

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To:

Honorable Jack A. Markell  
Governor, State of Delaware

Honorable Myron T. Steele  
Chief Justice  
Supreme Court  
State of Delaware

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# Domestic Violence Coordinating Council

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## **Chairs**

Hon. Patricia M. Blevins  
Member of the Senate  
Council Chair

Hon. Carl C. Danberg  
Commissioner  
Department of Correction  
Council Vice Chair

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## **Members**

Hon. Michael Barbieri  
Member, House of Representatives

Hon. Joseph R. Biden, III  
Delaware Attorney General

Mr. Carl E. Burke  
Representative, Victims of  
Sexual Assault

Warden Wendi Caple  
Member-at-Large

Ms. Dana Harrington Conner  
Member-at-Large

Dr. Matthew Hoffman  
Representative, Health Care  
Community

Chief Jeffrey Horvath  
Representative, Law  
Enforcement Community

Hon. Deborah Hudson  
Member, House of  
Representative

Hon. Chandlee Johnson Kuhn  
Chief Judge Family Court

Ms. Cindy Mercer  
Representative, Domestic  
Violence Advocacy Community

Hon. Brendan J. O'Neill  
The Public Defender

Hon. Vincent J. Poppiti  
Member-at-Large

Hon. Vivian Rapposelli  
Secretary, The Dept. of Services  
for Children, Youth and Their  
Families

Ms. Margaret Reyes  
Member-at-Large

Hon. Lewis D. Schiliro  
Secretary, Dept. of Safety and  
Homeland Security

Hon. Liane M. Sorenson  
Member of the Senate

Hon. James T. Vaughn, Jr.  
President Judge Superior Court

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DVCC Agency Main Number  
302-255-0405

The Mission of the Domestic Violence Coordinating Council is to reduce the occurrence of domestic violence and abuse in all its forms.

## Who We Are/What We Do

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The Domestic Violence Coordinating Council is a State agency legislatively created in 1993 to improve Delaware's response to domestic violence. The Coordinating Council brings together domestic violence service providers and policy-level officials to identify and implement improvements in system response through legislation, education, training and policy development.

### **Delaware Code, Title 13, Domestic Relations, Chapter 21**

The Domestic Violence Coordinating Council:

- Studies court services and procedures, law enforcement procedures and protocol, and criminal justice data collection and analysis, as it relates to domestic violence.
- Effectually coordinates among agencies, departments, and the courts with victims of domestic violence and abuse.
- Promotes effective prevention, intervention, and treatment techniques based upon research and data collection.
- Recommends standards for treatment programs for perpetrators of domestic violence to the Department of Health and Social Services; Department of Services for Children, Youth and Their Families; and the Department of Correction.
- Reviews, drafts and comments upon legislation relating to domestic violence introduced in the General Assembly at the request of any member of the General Assembly or on its own initiative; and
- Improves the response to domestic violence and abuse to reduce the incidents thereof.

Much of our work is done through subcommittees made up of Council members, staff, service providers, policy-level officials, and community members. This collaborative approach has helped us to implement new policies, establish supportive ties in the community for victims of violence, and provide educational tools for all members of the community.

## Message from the Chairs

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Hon. Patricia M. Blevins  
State Senate  
Chair



Hon. Carl C. Danberg  
Commissioner  
Department of Correction  
Vice Chair

The Domestic Violence Coordinating Council placed an emphasis in the past year on the issue of teen dating violence. The dynamics of Teen Dating Violence are much like those experienced by adults in abusive relationships; the abuse can be physical, emotional and/or sexual. Unhealthy relationships that begin during teenage years can last a lifetime. But with proper response, referral to resources and education on healthy relationships, adolescents can learn to develop and enjoy healthy relationships for a lifetime.

In 2009, 9.1% of Delaware High School students who completed the Youth Risk Behavior Survey (YRBS) reported being “Hit, slapped or physically hurt on purpose by their boyfriend or girlfriend.” That same year, the Delaware General Assembly passed Senate Concurrent Resolution 21, establishing the Teen Dating Violence Task Force. Chaired by Senator Liane Sorenson, the Task Force evaluated best practices and initiatives and made recommendations for policies relating to teen dating violence education in schools.

To ensure student input in the process, eight teen focus groups were established with the support of numerous schools and agencies throughout the state. The 58 participating teens, between the ages of 14 and 18, were asked to share their thoughts on the realities of Teen Dating Violence in Delaware. The two strongest themes reported by the students were that teens don’t talk to one another about teen dating violence and that teens want to be educated about dating violence. The students confirmed that abuse is a problem among teens in Delaware, that School Wellness Centers are a prime source of support and that they need more knowledge about healthy relationships.

The Task Force Report, presented to the Governor and others in May 2010, recommended that middle schools and high schools throughout the state develop a standard framework of intervention and policies to address teen dating violence.

In June 2012, the School Teen Dating Violence and Sexual Assault Bill, SB 206 was passed by the General Assembly. The legislation requires Delaware school districts and charter schools to establish a policy on responding to Teen Dating Violence and Sexual Assault including guidelines on mandatory reporting and confidentiality, a protocol for responding to incidents and training for school administrators, nurses and counselors.

The final bill included several amendments one of which designated the legislation the “Liane Sorenson Act”. We gratefully acknowledge the contributions of our many community partners and we thank Senator Liane Sorenson for her leadership on the issue of Teen Dating Violence.

## Message from the Executive Director

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Bridget V. Poulle  
Executive Director

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Domestic Violence is recognized as a serious social and medical problem that affects the health and well-being of millions of people each year. Though the true scope of domestic violence is impossible to measure, data can help define the issue. In 2012 according to the State Bureau of Identification, the total number of combined criminal and non-criminal domestic violence incidents reported in Delaware was 29,632. Additionally, the Centers For Disease Control and Prevention reported that 1 in every 4 women will experience domestic violence in their lifetime.

Since women and men turn to the health care system throughout their lives, the Domestic Violence Coordinating Council and the Medical Subcommittee have updated and provided trainings on the *Domestic Violence Resource Manual for Healthcare Professionals*.

This resource manual provides accessible information to health care professionals to assist with recognizing domestic violence, provides screening tools and offers community resources. Although victims may not disclose their abusive situation, screening is an important intervention that lets victims know there is help when they are ready to receive it. We know all too well that domestic violence effects people of every race and across every socioeconomic status. Because of this, the manual recommends universal screening so that every potential victim has an opportunity to get help from a trusted healthcare provider.

Our Resource Manual also covers requirements regarding state reporting, as well as information on the Affordable Care Act signed into law by President Obama on March 23, 2010. This new legislation helps make prevention affordable and accessible for patients by requiring health plans to cover preventative services and by eliminating cost sharing for some services including domestic violence screening and counseling. This legislation is a significant step to ensuring that our health care system and providers will be partners in identifying and helping victims of domestic violence.

Training is underway on the Domestic Violence Resource Manual for Healthcare Professionals. The DVCC appreciates the collaboration of hospitals and the medical community up and down the state who are assisting us in this endeavor.

Understanding the dynamics of domestic violence, providing community resources and screening are effective measures that can result in improved quality of life and fewer violence-related injuries.

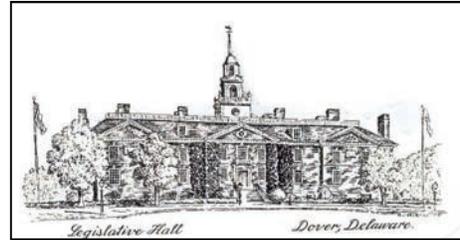
I would like to thank DVCC staff, members of the Medical Subcommittee, and the Sexual Assault Network of Delaware (SAND) for their contributions to the Resource Manual for Healthcare Professionals.

“When we educate students about Teen Dating Violence they can begin to talk openly about the topic, feel comfortable seeking help and learn the skills needed to develop healthy relationships.”

- Senator Liane Sorenson

## Legislative Updates—State of Delaware

### **Senate Bill (SB) 200 AN ACT TO AMEND TITLE 13 OF THE DELAWARE CODE RELATING TO THE FATAL INCIDENT REVIEW TEAM.**



The Fatal Incident Review Team is a multiagency team that reviews all deaths and near deaths that occur as a result of domestic violence. This Act reduces the core number of Review Team members from eight to seven, by eliminating the requirement that a representative from the Department of Education serve as a mandatory member of the Fatal Incident Review Team. The Department of Education would serve in an ad hoc role as needed.

Primary Sponsor: Senator Patricia Blevins  
Signed by the Governor: July 5, 2012

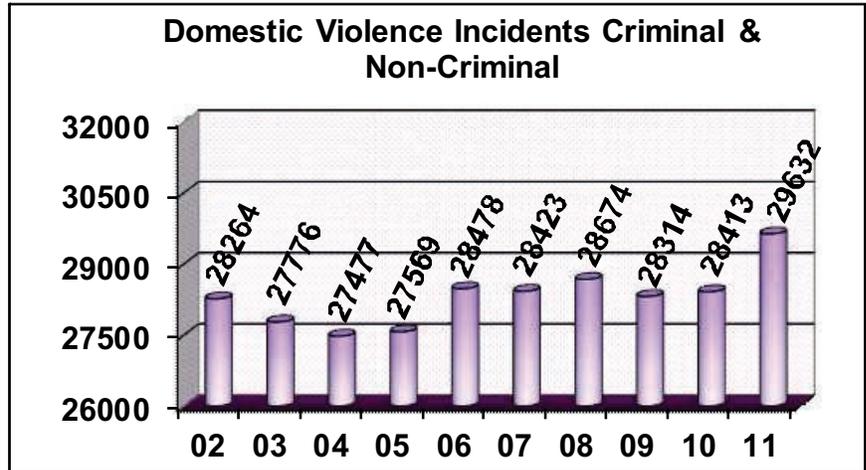
### **Senate Bill (SB) 206 w/ SA2 & HA 1 AN ACT AMENDING TITLE 14 OF THE DELAWARE CODE RELATING TO SCHOOL TEEN DATING VIOLENCE AND SEXUAL ASSAULT.**

This Bill requires school districts and charter schools to establish a policy on responding to Teen Dating Violence and Sexual Assault, including guidelines on mandatory reporting and confidentiality, a protocol for responding to incidents of Teen Dating Violence and Sexual Assault and training on the issue. School districts and charter schools shall ensure that comprehensive healthy relationships programming is provided in the student health education programs or related classes.

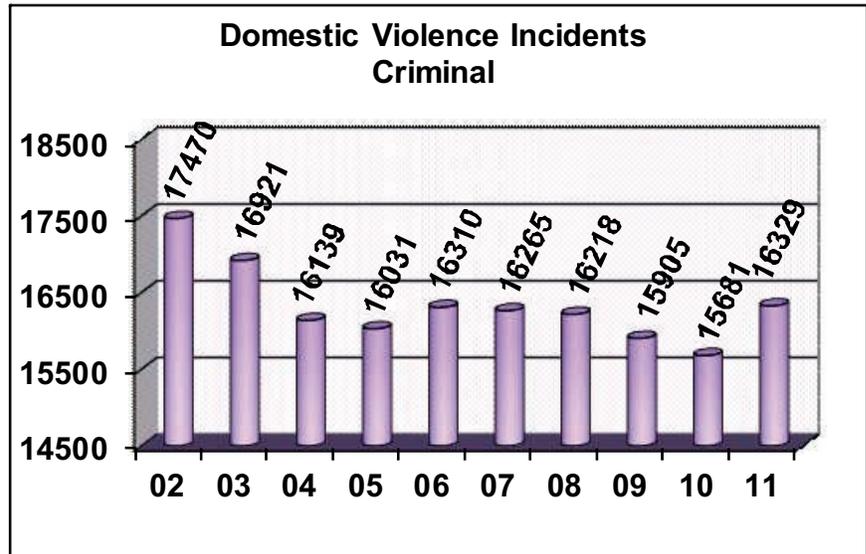
Primary Sponsor: Senator Liane Sorenson  
Signed by the Governor: July 20, 2012

# Domestic Violence Statistics

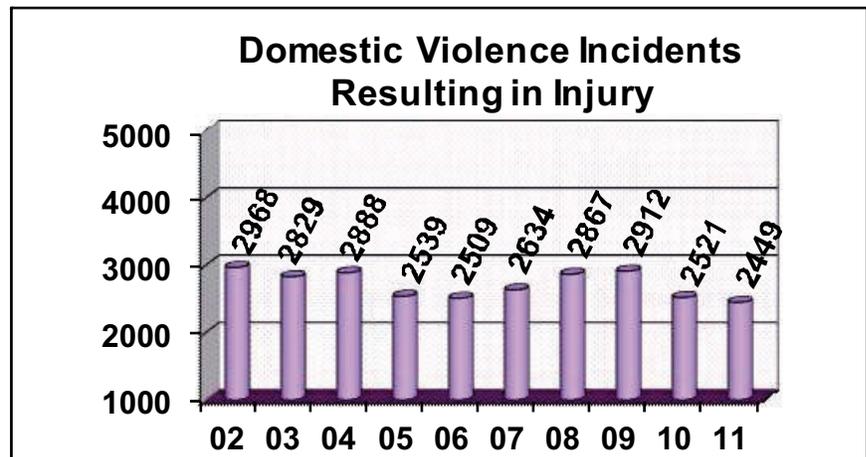
In calendar year 2011, per the State Bureau of Identification, the total number of domestic violence incidents reported in Delaware was 29,632 (combined criminal and non-criminal).



Criminal domestic violence incidents are those incidents where a crime is committed or alleged. Non-criminal domestic violence incidents are those in which there is police contact, but no crime was committed or alleged (For example, a verbal argument in which no threats are made). In calendar year 2011, the total number of reported domestic violence criminal incidents was 16,329.



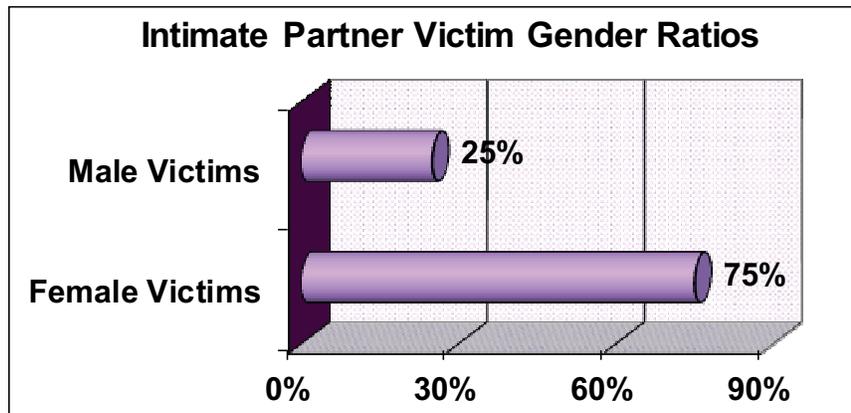
Of the 16,329 reported criminal incidents, 2,449 resulted in physical injury to the victim



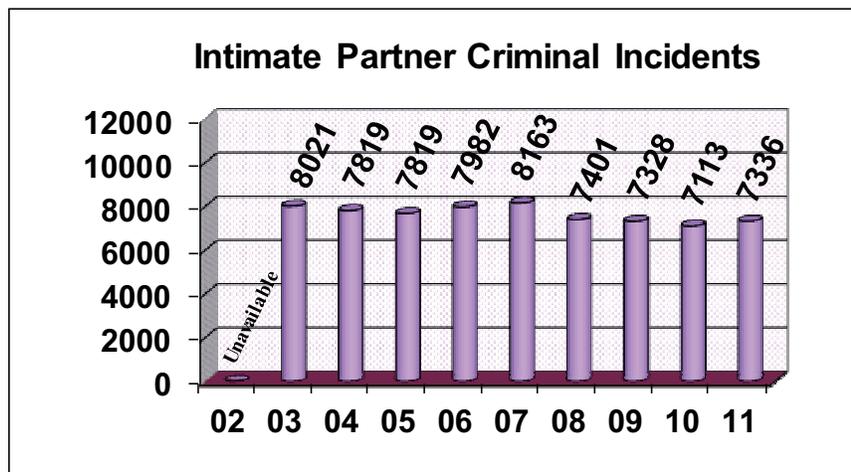
# Intimate Partner Statistics

The term “Intimate Partner” includes current and former spouses, current and former dating couples with or without a child in common and dating couples. Intimate partners may be the same gender.

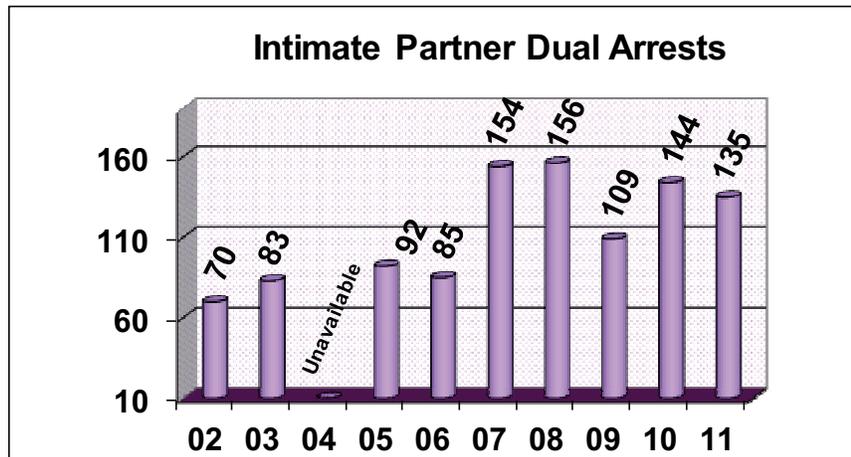
In 2011, 42% of all Domestic Violence Incidents took place between intimate partners. Of the intimate partner incidents, 75% were female victims.



The State Bureau of Identification first began tracking intimate partner cases separately from all domestic cases in 2003. In 2011, there were 6,964 criminal incidents that occurred between intimate partners.



Dual Arrests are when law enforcement arrests both intimate partners involved in a domestic violence incident. In 2011, there were 135 dual arrests made statewide. This is less than 2% of all intimate partner criminal domestic violence incidents.



## Protection from Abuse (PFA)

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### What is an Order of Protection From Abuse?

An Order of Protection From Abuse is a fully enforceable order issued by Family Court ordering someone to stop abusing another person, and may include other relief, such as surrender of firearms, ordering the abuser to stay away from the person being abused, exclusive use of the home or possessions, temporary custody, child support or support for the Petitioner, payment of expenses, offender treatment, and other relief that may help to prevent future violence.

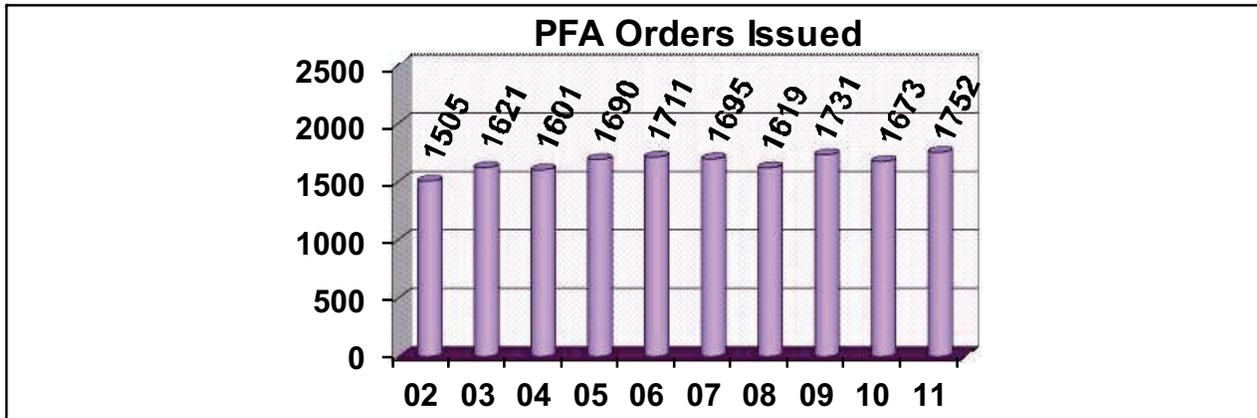
### Who can file for Protection From Abuse?

Spouses, ex-spouses, family members, persons who lived together when the abuse occurred, persons living together as a couple, with or without a child/children in common, or persons living separate and apart with a child/children in common, or persons (including same sex) in a current or former substantive dating relationship may file for an Order of Protection from Abuse. Also, the Division of Family Services acting in the interest of a minor child may file a petition alleging domestic violence; or the Division of Adult Protective Services acting in the interest of an infirm adult may file a petition alleging domestic violence; or parents/guardians may file a petition on behalf of their teens who are in abusive relationships.

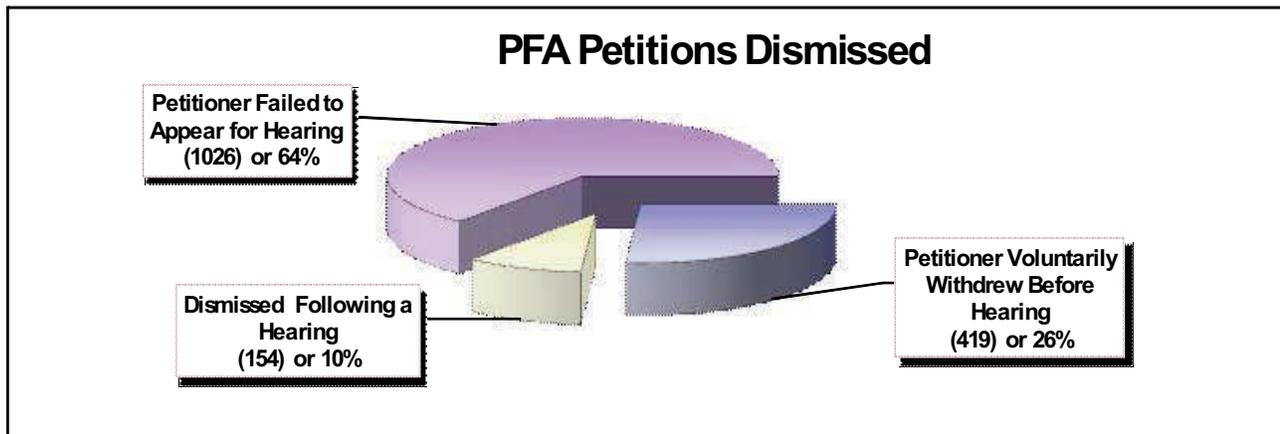
### How a Protection From Abuse Order is Issued

A Protection From Abuse Order is issued when the Court finds by a preponderance of evidence that domestic violence has occurred, or if the respondent consents to the entry of a protective order. The Family Court of Delaware defines abuse in 9 Del. C. § 1041. Included in the conduct which constitutes abuse is: Injuring or attempting to injure another person; engaging in a course of alarming or distressing conduct which would likely cause fear, emotional distress or provoke a violent or disorderly response; or any other conduct which a reasonable person under the circumstances would find threatening or harmful. Statewide, Family Court processed 3,351 Protection From Abuse Petitions (PFA) in 2011.

# Protection from Abuse Statistics



In 2011 there were a total of 3,351 petitions processed. 1,752 Final Protection From Abuse orders were issued statewide. The remaining 1,599 petitions were dismissed.



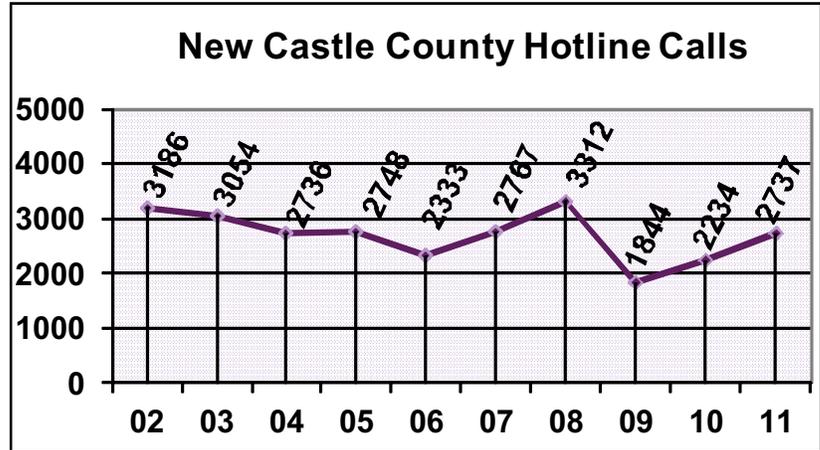
Of the 3,351 petitions processed, 1,752 PFA Orders were issued. The remaining 1,599 petitions were dismissed.

A Protection From Abuse petition dismissal can occur one of three ways:

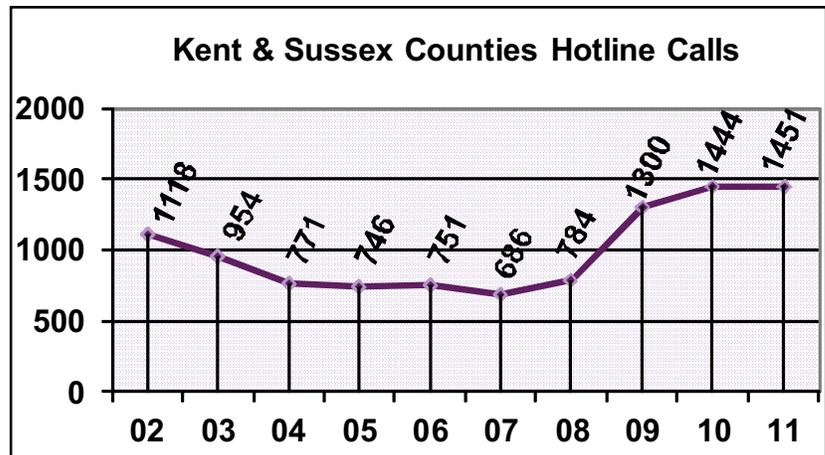
- The Petitioner fails to appear for the hearing (1,026),
- The Petitioner voluntarily withdraws the petition before the hearing (419),
- Or, following a hearing in which abuse was not found by a preponderance of evidence (154).

# Hotline Statistics

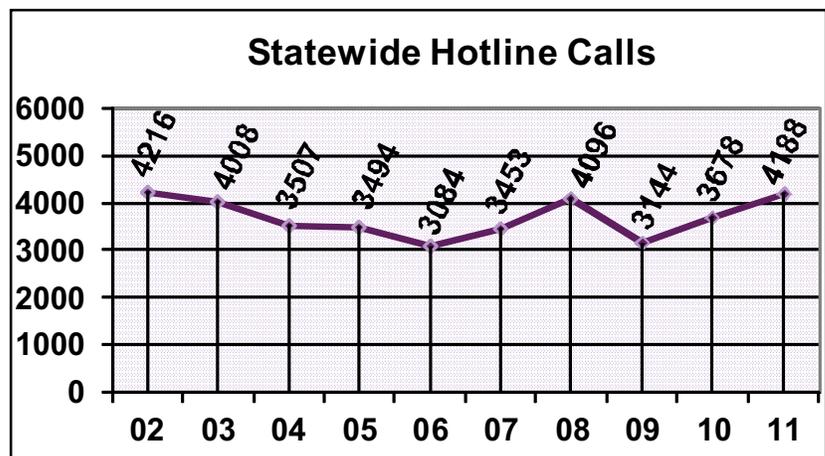
In 2011, there were 2,737 calls to the domestic violence hotline in New Castle County. This is an increase of 503 calls from 2010.



In 2011, there was a total of 1,451 calls to domestic violence hotlines in Kent and Sussex Counties. This is an increase of 7 calls and is the highest number of hotline calls since the DVCC began keeping records in 1998.

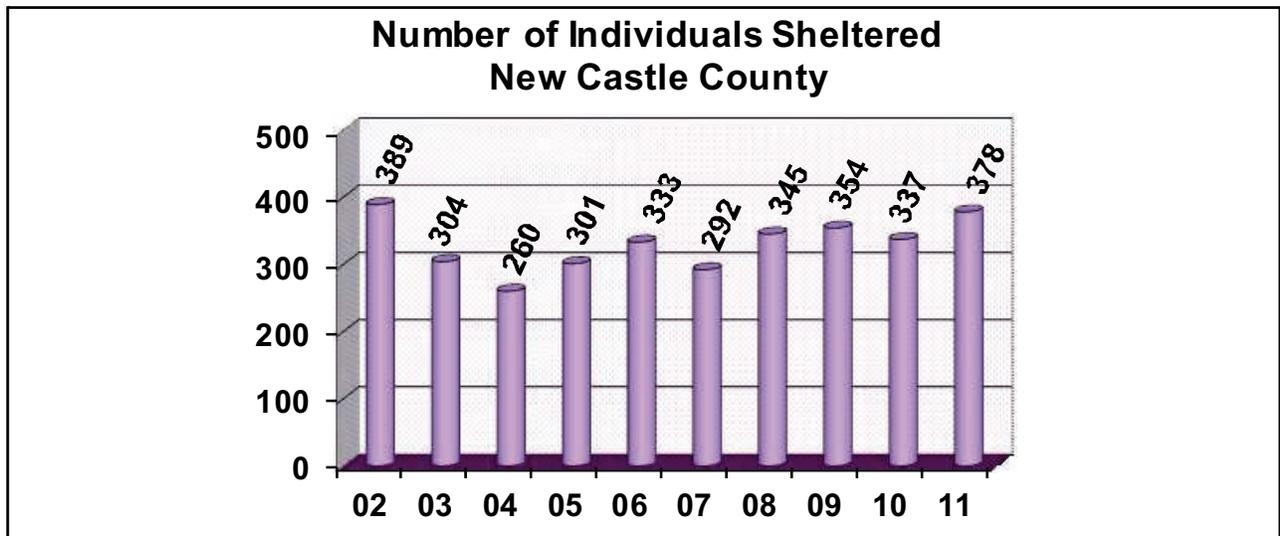


In 2011, there were a total of 4,188 calls received by domestic violence hotlines statewide. The average number of hotline calls over a ten year span is 3,686 per year.

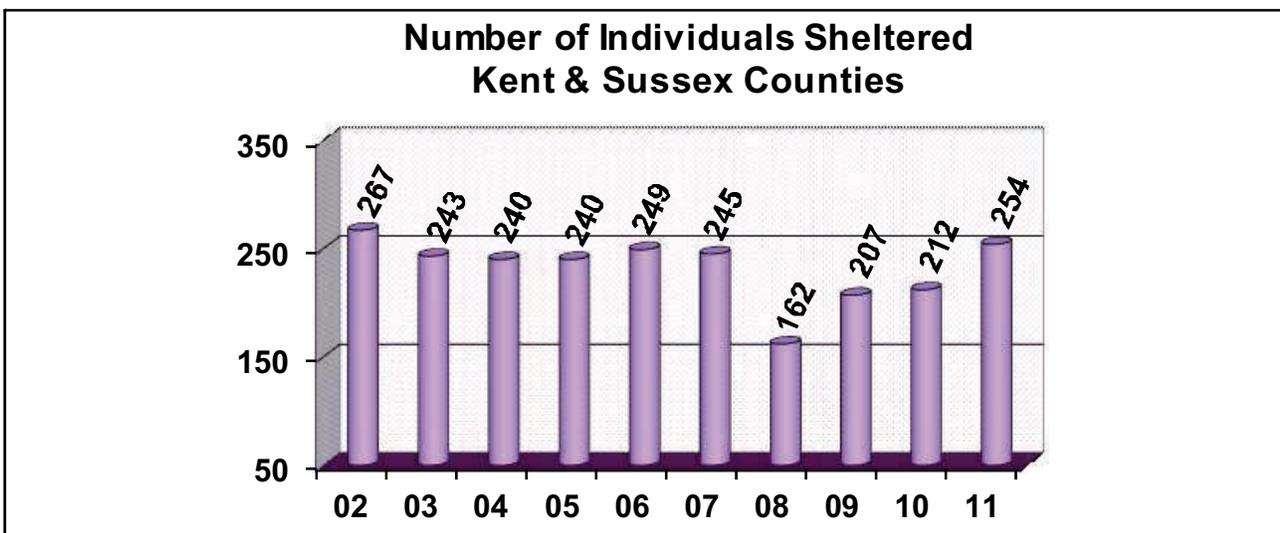


## Shelter Statistics

In 2011, there were 632 women and children sheltered statewide (297 women and 335 children). This is an increase from the total of 549 women and children sheltered in 2010.



In New Castle County, 378 individuals were provided shelter in 2011. Of the 378 individuals 175 were women and 203 were children.



In Kent and Sussex Counties, the total number of individuals sheltered in 2011 was 254. Of the 254 provided shelter, 122 were women and 132 were children.

# Domestic Violence Agency Statistics

## Domestic Violence Court -Based Advocacy Programs

The Victim Advocacy Programs provide free services to help victims of domestic violence navigate their way through the court system. Trained advocates assist victims with safety planning, answer questions about the court process, assist in filing petitions and provide a supportive presence at court hearings. Services are provided in Family Court in all three counties.



In 2011 there were 1,551 domestic violence victims served by the court based advocacy program.

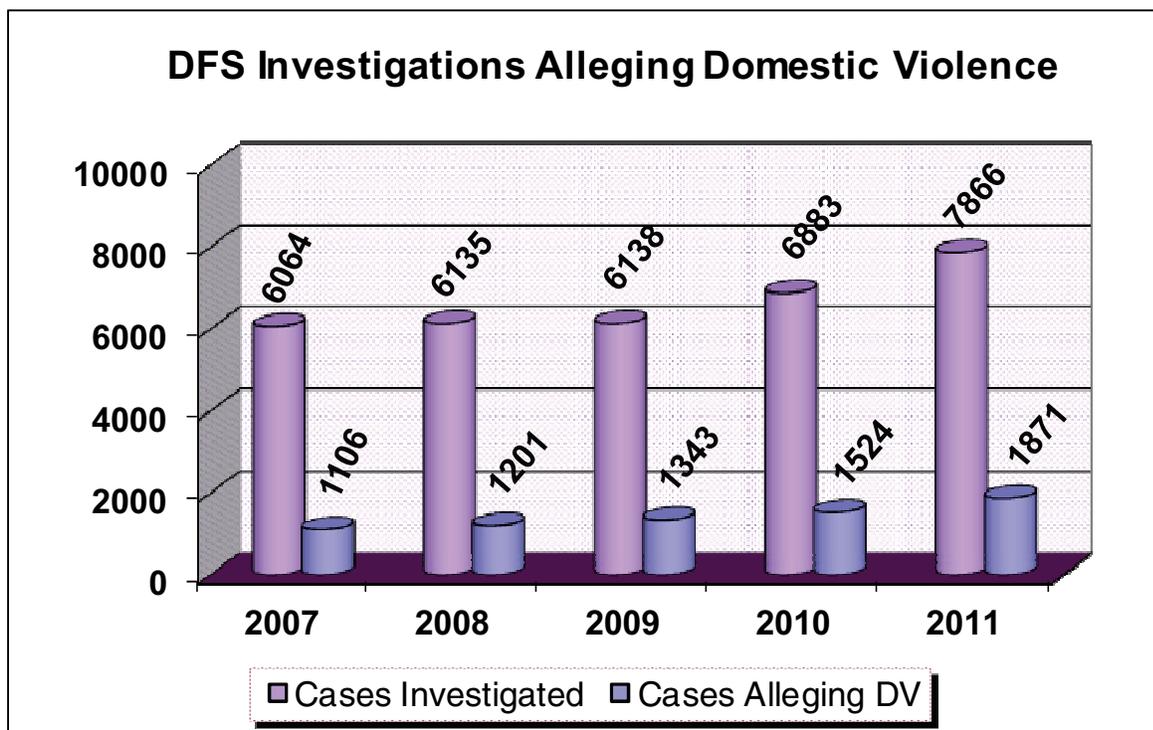
## Family Visitation Centers

In collaboration with the State of Delaware and two private non-profit organizations, Family Visitation Centers help address custody and visitation issues in families with a history of domestic violence. In 2011, statewide, five centers provided a safe, neutral setting for monitored exchange of children for off-site visitation or supervised on-site visitation. The chart below outlines the total services provided in 2011.

	CHILD, Inc. New Castle County	People's Place Kent & Sussex County	Statewide
<b>Visitation Exchanges:</b>	762	675	1,437
<b>Group Visits:</b>	1,333	1,033	2,366
<b>Individual Supervised Visits:</b>	558	1,160	1,718
<b>Children Served:</b>	213	99	312
<b>Parent/Caregivers Served:</b>	293	128	421

# Domestic Violence Agency Statistics

The Division of Family Services screens for domestic violence when a report is made, during an investigation, and when a case is active for treatment. These statistics represent the total number of child abuse, neglect and dependency reports that met the criteria for investigation and that also alleged domestic violence.



Of the 7,866 reports accepted for investigation by DFS in 2011, 1,871 or 24% included allegations of domestic violence. Of those, 1,228 cases were substantiated for domestic violence.

## CD-CP Program

The CD-CP Program Provided Services to 164 Children. Of those, 63 children received services for DV related incidents. CD-CP offers statewide immediate post-trauma counseling and follow-up care to youth and their caretakers to cope with the aftermath of violent and traumatic experiences.

# Domestic Violence Agency Statistics

## Child Development–Community Policing

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The Child Development-Community Policing (CD-CP) Program is a mental health program provided through collaboration between Wilmington Police Department and the Division of Prevention & Behavioral Health Services. This program was originally developed by Yale University to embed Mental Health clinicians with Law Enforcement. The clinicians respond to traumatic and other serious situations that would reasonably impact on a child's mental health. These incidents include: witnessing homicides, rapes, assaults, domestic violence, and other life threatening events.

### Other programs providing services to children exposed to domestic violence:

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#### New Castle County

(Helping Children Heal)	
Children/Adolescents Served:	102
Parent/Caretakers Served:	<u>105</u>
<b>Total:</b>	<b>207</b>

#### Kent & Sussex Counties

(Turning Point)		(Crossroads of Georgetown)	
Children/Adolescents Served:	69	Children/Adolescents Served:	109
Parent/Caretakers Served:	<u>22</u>	Parent/Caretakers Served:	<u>53</u>
<b>Total:</b>	<b>91</b>	<b>Total</b>	<b>162</b>

# Domestic Violence Agency Statistics

## Department of Correction Probation & Parole Supervised Domestic Violence Offender Data

The philosophy of the Probation & Parole DV Unit is to hold the offender accountable and to maintain victim safety. In addition to specialized DV Probation Officers, each office has a Domestic Violence Victim Liaison.

Probation & Parole has a specialized DV Unit in each county. Domestic violence cases are assigned to the DV Units based on criteria, including offenses, victim/offender relationships, and active PFA orders. The victim service positions in New Castle and Sussex Counties were vacant for period of time in 2011, the lower numbers of victims served in these counties reflect this.

### New Castle County Supervision

Number of DV Offenders:	415
Number of Probation Officers Assigned to DV Cases	8
Probationer/Probation Officer Ratio:	51:1
Number of Victims Served by DV Liaison:	112

### Kent County Supervision

Number of DV Offenders:	334
Number of Probation Officers Assigned to DV Cases	6
Probationer/Probation Officer Ratio:	55:1
Number of Victims Served by DV Liaison:	221

### Sussex County Supervision

Number of DV Offenders:	233
Number of Probation Officers Assigned to DV Cases	4
Probationer/Probation Officer Ratio:	58:1
Number of Victims Served by DV Liaison:	81

# 2011 Year in Review

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## **Domestic Violence Statistics**

- The number of domestic violence related deaths in 2011 identified by the Domestic Violence Coordinating Council is 13 (3 murder/suicides (resulting in 6 deaths), 5 homicides and 2 domestic violence related suicides).
- The total number of reported DV incidents in Delaware was 29,632; an increase from 28,413 in 2010.
- The total number of reported DV criminal incidents was 16,329; an increase from 15,681 in 2010.
- The total number of reported DV criminal incidents that resulted in physical injury was 2,449; a decrease from 2,521 in 2010.

## **Intimate Partner Statistics**

- 42% of all Domestic Violence Incidents took place between intimate partners.
- There were 6,964 reported criminal incidents of Intimate Partner Domestic Violence; this is a decrease from 7,113 incidents in 2010.
- There were 135 dual arrests made statewide, this means that less than 2% of all Intimate Partner criminal Domestic Violence incidents resulted in dual arrests.
- 75% of Intimate Partner Domestic Violence victims were female in 2011.

## **Protection From Abuse Order Statistics**

- Family Court processed 3,351 Protection From Abuse (PFA) Petitions.
- There were 1,752 Protection From Abuse final orders issued statewide. This number is an increase from 1,673 issued in 2010.
- 154 PFA petitions were dismissed because abuse was not found by a preponderance of the evidence following a court hearing.
- 419 PFA petitions were dismissed because the petitioner voluntarily dismissed them.
- 1,026 PFA petitions were dismissed when the petitioner failed to appear for the hearing.

## **Hotline Statistics**

- There were a total of 2,737 Domestic Violence hotline calls received in New Castle County.
- There were a total of 1,451 Domestic Violence hotline calls received in Kent and Sussex Counties.
- Statewide, there were 4,188 Domestic Violence hotline calls received. This is an increase from 3,678 calls in 2010.

## **Shelter Statistics**

- In New Castle County, 175 women and 203 children were sheltered for a total of 378 women and children.
- In Kent and Sussex Counties, 122 women and 132 children were sheltered for a total of 254 women and children.
- Statewide, 632 women and children received shelter services. This number is an increase from 549 in 2010.

# DVCC Subcommittees & Other Committees

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## **Children and Domestic Violence**

Chairs: Hon. Deborah Hudson and Hon. Vivian Rapposelli

Staff: Cara C. Sawyer

## **Criminal Justice**

Chairs: Hon. James T. Vaughn, Jr., Chief Jeffrey Horvath and Hon. Brendan O'Neill

Staff: Cara C. Sawyer

## **Elderly and Domestic Violence**

Chairs: Hon. Joseph R. Biden, III

Staff: Cheryl M. Cooper

## **Executive**

Chairs: Hon. Patricia M. Blevins, Hon. Carl C. Danberg, Hon. Deborah Hudson and Dana Harrington Connor

Staff: Bridget V. Poulle

## **Immigration**

Chair: Margaret Reyes

Staff: Aimee V. String

## **Legislative Drafting and Review**

Chairs: Hon. Patricia M. Blevins and Hon. Joseph R. Biden, III

Staff: Bridget V. Poulle

## **Medical**

Chair: Dr. Matthew Hoffman

Staff: Aimee V. String

## **Public Awareness/Education**

Chairs: Hon. Liane M. Sorenson and Cindy Mercer

Staff: Cheryl M. Cooper

## **Treatment**

Chairs: Hon. Carl C. Danberg and Hon. Brendan O'Neill

Staff: Bridget V. Poulle

## **Other DVCC Committees**

Batterers' Intervention Certification Panel (Staff: Aimee V. String)

Downstate Domestic Violence Committee (Staff: Aimee V. String)

Fatal Incident Review Team - Chairs: Hon. Vincent J. Poppiti, Dana Harrington Conner, Esq. and Cindy Mercer (Staff: Cara C. Sawyer)

Law Enforcement Training Work Group (Staff: Cheryl M. Cooper)

# Training Events

Training fulfills an important function by increasing public awareness about domestic violence and the resources available to assist victims and their families. Since last year's Annual Report, a total of 2,168 persons were trained. Training was delivered in a variety of methods including: on-site training for healthcare and other professionals; conducting conferences and trainings for law enforcement, probation and parole officers, schools, and members of the community. The DVCC collaborates extensively with community partners statewide by participating in public awareness and training efforts. A list of these training efforts and collaborations is below:

Alpha Kappa Alpha Debutantes  
Alpha Kappa Alpha Health Fair at Mt. Zion AME Church  
Baylor Correctional Institution Mentoring Program  
Beebe Medical Center Health Care Professionals  
Bethel Villa Residents  
Cab Calloway Students  
Christiana Care 2011 Community Forum  
Christiana Care Healthcare Professionals  
ContactLifeline Wilmington Barbershop Outreach  
DCADV Annual Retreat Workshop  
DSCYF/DMSS Pre-Service Training Child Welfare Workers  
Delaware Adolescent Program, Inc. Students  
Delaware Technical Community College Students  
CHILD, Inc. Specialized Foster Care Parents  
Hodgson Vo-Tech High School Students  
Howard Vo-Tech High School Students  
John Dickinson High School Students  
National Guard Sexual Assault Advocates  
Newark High School Students  
Smyrna Girl Scout Troops  
Southbridge Mother/Daughter Breakfast  
Springfield College Domestic Violence Collaborative Conference  
The Alliance for Adolescent Pregnancy Prevention Teen Summit 2012  
Thomas Edison Charter School Parents & Students  
University of Delaware Nursing Program  
Victims Voices Heard Program  
William Penn Family Health Fair  
Wilmington Hospital Healthcare Professionals  
Wilmington University Students  
Witney's Lights Youth Ambassadors  
YMCA Home Life Management Center  
YWCA Home Life Management



# 2012 Events



Commissioner Carl Danberg, Governor Jack Markell, Senator Patricia Blevins, Attorney General Joseph Biden III  
**Domestic Violence Awareness Month Proclamation Signing**



Bridget Poule, Carol Post and Senator Patricia Blevins  
**DVCC Community Service Award Recipient**



(Above Picture) Dr. Gordon Reed, Anita Symonds, Kathy Keating, Attorney General Joseph Biden III, Dawn Culp, Senator Liane Sorenson and Dr. Matthew Hoffman

### **Domestic Violence Resource for Healthcare Professionals Release**



Warden Wendi Caple' and Cheryl Cooper

# Domestic Violence Medical Manual

Domestic Violence is a major public health problem, resulting in injuries and other short and long term health consequences, including mental illness and complications of pregnancy. It is a chronic life threatening condition that is treatable.

Recognizing that Healthcare Providers are a crucial link in offering accessible domestic violence services and information, the DVCC's Medical Subcommittee published the Domestic Violence Resource Manual for Healthcare Professionals in March of 2012.

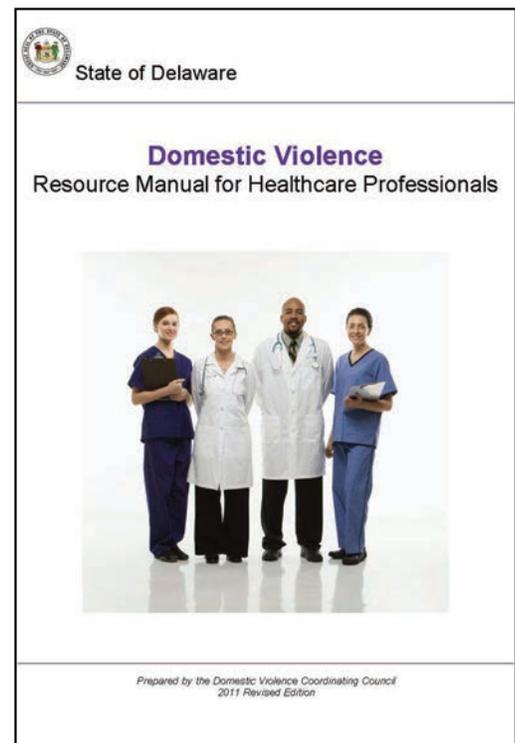
The purpose of the resource manual is to provide accessible information to health care providers in Delaware regarding the screening and treatment of patients dealing with domestic violence. This manual is the result of a very unique collaboration between health care providers, domestic violence advocates and other interested parties. It provides important information regarding screening, victim safety, power and control tactics and community resources.

Both healthcare providers and domestic violence advocates recognize that victims of domestic violence will present in every medical facility within our state. Neither victims nor batterers fit a distinct personality or profile and abuse affects people of all ages, ethnicities, and socioeconomic classes. Because predicting which persons will be affected is difficult, the Resource Manual stresses the importance of universally screening for domestic violence.

In accompaniment with the release of the Medical Manual, domestic violence training is being provided to hospitals and medical facilities throughout the State.

The [Domestic Violence Resource Manual for Healthcare Professionals](#) is currently available on the Domestic Violence Coordinating Council website ([www.dvcc.delaware.gov](http://www.dvcc.delaware.gov)) in addition to internal staff websites at the Department of Public Health, Christiana Care Health System, Nanticoke Memorial Hospital and Beebe Medical Center.

To schedule a training, please contact the Domestic Violence Coordinating Council at (302) 255-0405.



If you are in danger, please call 911.

## Domestic Violence/Rape Crisis 24 –Hour Hotline Numbers

### New Castle County

Domestic Violence	302-762-6110
Rape Crisis	302-761-9100
TTY	800-232-5460

### Northern Kent

Domestic Violence	302-678-3886
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### Kent & Sussex

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## DVCC Main Office

New Castle County Courthouse  
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## DVCC Kent & Sussex County Office

Milford State Service Center  
Suite 105  
13 S. W. Front Street  
Milford, DE 19963

Phone: 302-424-7238

Fax: 302-424-5311

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**Delaware**

**Fatal Incident**

**Review Team**

**Report**

**2012**

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# Introduction

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The purpose of the Domestic Violence Coordinating Council's Fatal Incident Review Team is to review Domestic Violence Fatalities to identify trends and gaps in services in order to reduce domestic violence deaths in the future.

Domestic Violence continues to be a devastating problem and deaths resulting from this crime are the ultimate acts of abuse. This report contains 109 cases reviewed over 15 years. In some of these cases the victims had taken steps to protect themselves and/or their families from their abusive partner. Despite their efforts, some victims and/or the people they loved died at the hands of the abusive partner.

The Review Team members are dedicated professionals who conduct system audits of State agencies and private organizations that had contact with the deceased victim and/or the alleged perpetrator to assess the system's response.

Legislation mandates confidentiality requirements in the review process and any records created therein are exempt from the provision of the Freedom of Information Act. Therefore, all records of the reviews are confidential and are maintained in the DVCC office and may only be used by the Domestic Violence Coordinating Council in the exercise of its proper function. More information can be found at: 13 Del. C. § 2105.

Although domestic violence fatality reviews are retrospective in nature, their purpose is prospective. Reviews focus on identifying trends, patterns and obstacles in services, assessing agency interventions, and most importantly, developing practical recommendations aimed at improving the system and preventing future injury and death.

# Review Team Members & Participants

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## **Co-Chairs**

Honorable Vincent J. Poppiti, Domestic Violence Coordinating Council  
Dana Harrington Connor, Domestic Violence Coordinating Council  
Cindy Mercer, Domestic Violence Coordinating Council

## **Members and Participants**

According to 13 Del. C. § 2105, in addition to the co-chairs, the Review Team shall consist of 8 other core members:

- The Attorney General or the Attorney General's designee,
- The Director of the Division of Family Services or the Director's designee,
- A victim advocate appointed by the Domestic Violence Coordinating Council,
- The Chief Judge of the Family Court or the Chief Judge's designee,
- The Chief Magistrate of the Justice of the Peace Courts or the Chief Magistrate's designee,
- The Director of the Division of Substance Abuse and Mental Health, or the Director's designee,
- A law-enforcement officer to be appointed by the Delaware Chiefs of Police Council.
- The Secretary of the Department of Education or the Secretary's designee\*

All members of the Review Team, plus other individuals invited to participate, shall be considered part of the review panel for a particular case or incident. The Review Team shall invite other law-enforcement personnel to serve and participate as full members of a review panel in any case in which a law-enforcement agency has investigated the death or near death under review or any prior domestic violence incident involving the decedent or near death victim. The Review Team may also invite other relevant persons to serve on an ad-hoc basis and participate as full members of the review panel for a particular review. Such persons may include, but are not limited to, individuals with particular expertise that would be helpful to the review panel, representatives from those organizations or agencies that had contact with or provided services to the individual prior to that individual's own death or near death, that individual's abusive partner or family member and/or the alleged perpetrator of the death or near death.

\* SB 200, signed by the Governor on July 5, 2012, eliminates the requirement that a representative from the Department of Education serve as a mandatory member of the Fatal Incident Review Team. The Department would serve in an ad hoc role as needed.

# Domestic Violence Fatal Incident Cases

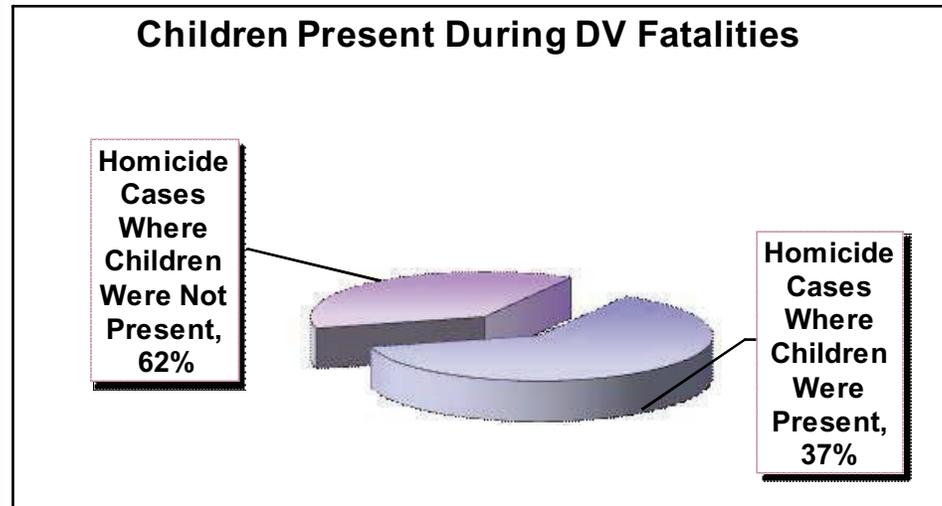
The information contained in this report represents data collected from 109 cases reviewed by FIRT. These fatalities occurred over a period of 15 years. The fatality cases contained in this report occurred between 1996 and 2011. However, because cases cannot be reviewed until prosecution is completed and the review is approved by the Department of Justice, not every domestic violence related fatality that occurred between those years appear in this report (13 Del. C. § 2105).



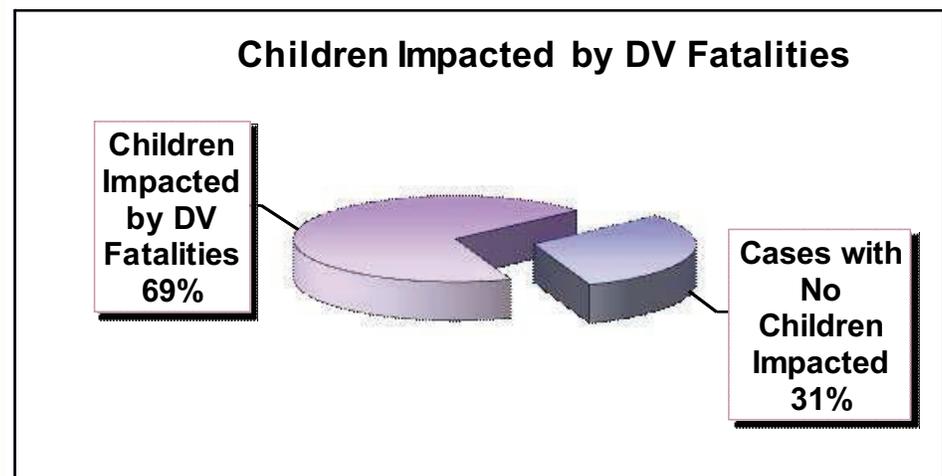
Homicide Victims	Perpetrator Suicides Following Homicides	Suicide Only	Undetermined Victim Deaths
95	25	19	1

# Impact of Domestic Violence on Children

According to Delaware law, a child can be a witness to an act of domestic violence by sound as well as sight, acknowledging that a child may have only heard the violent act from another room, but nonetheless be a witness who is emotionally impacted by it. In 40 or 37% of the 109 cases reviewed in this report, children were present when the fatality occurred.



Domestic violence affects every member of the family, including the children. Family violence creates a home environment where children live in constant fear. The ultimate form of domestic violence – homicide – has devastating life-long effects on those children left behind.

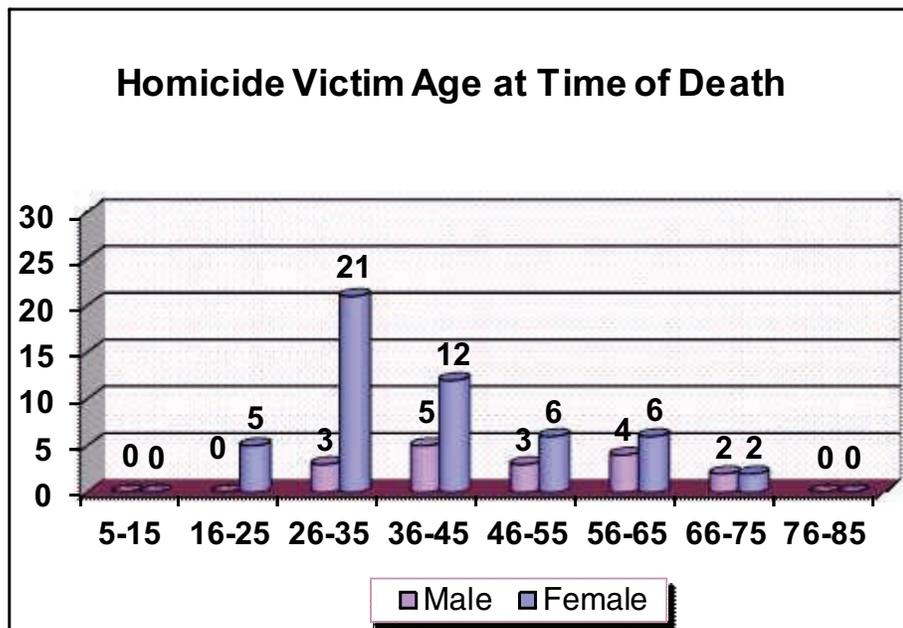
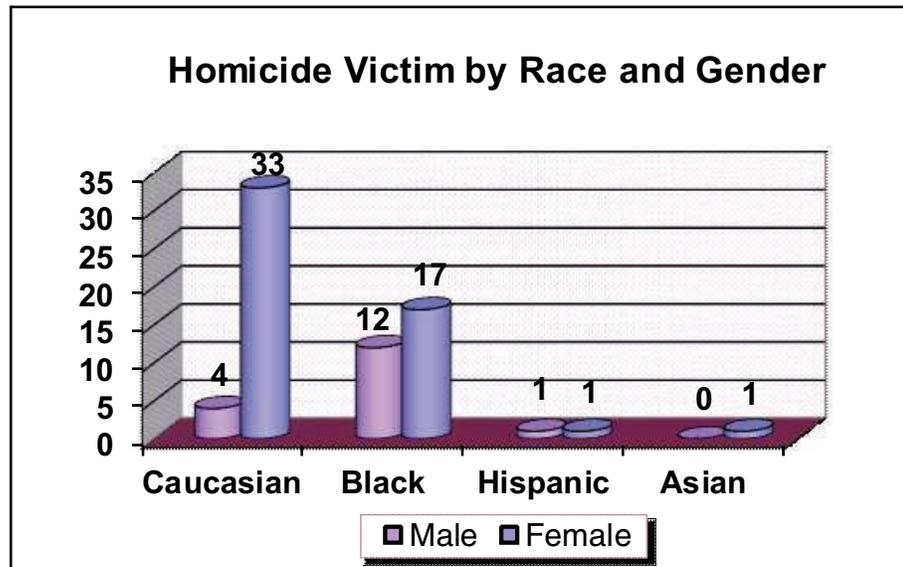


In the 109 cases in this report, 103 children lost a parent due to domestic violence.

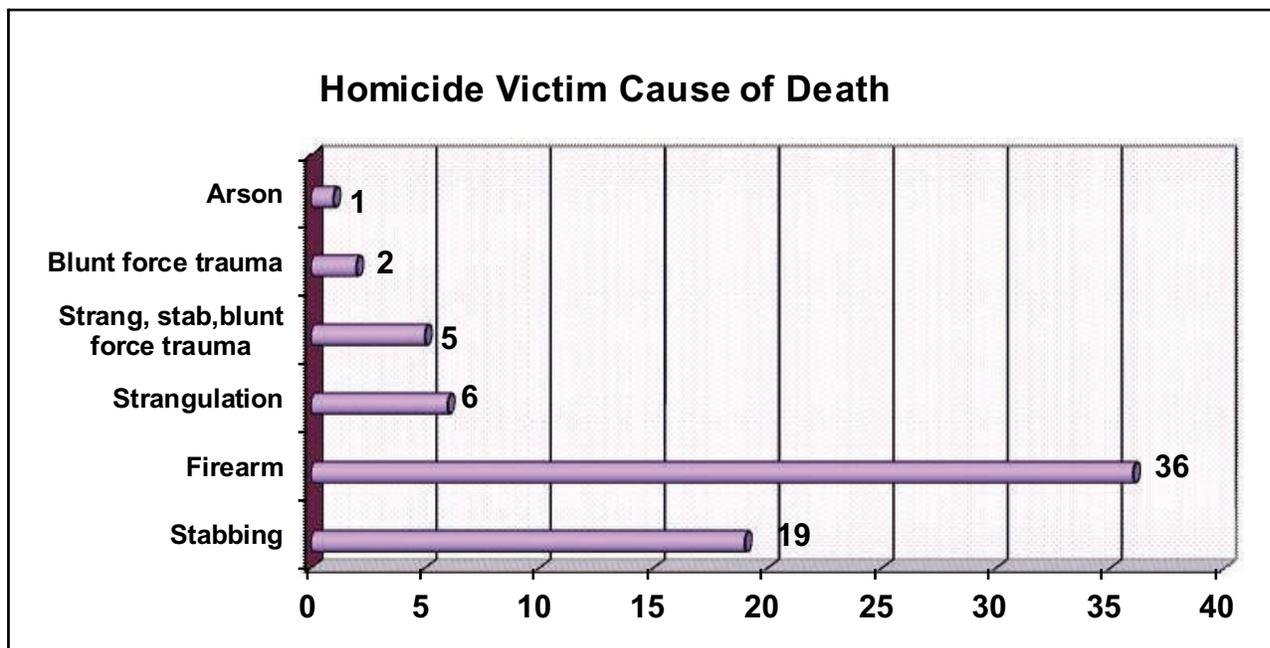
## Intimate Partner Data

The term “Intimate Partner” includes current and former spouses, current and former dating couples with or without a child in common and dating couples. Intimate partners may be the same gender.

Of the 95 homicide deaths included in this report, 69 were the result of Intimate Partner homicide.



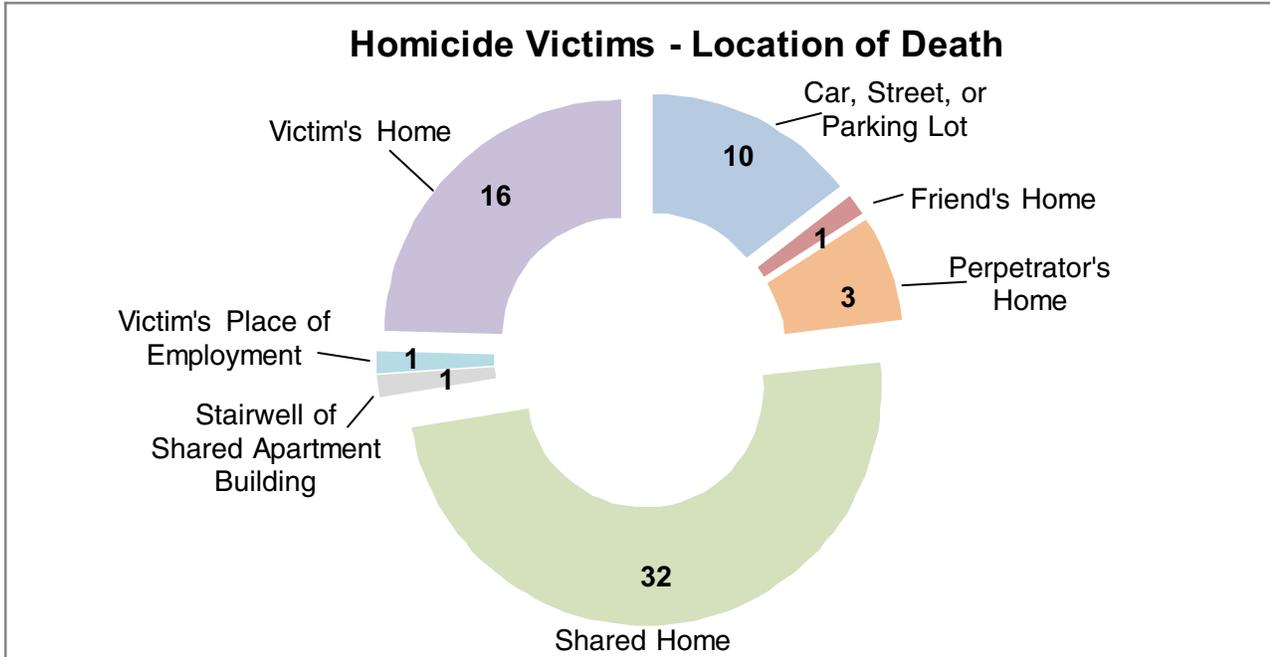
## Intimate Partner Data



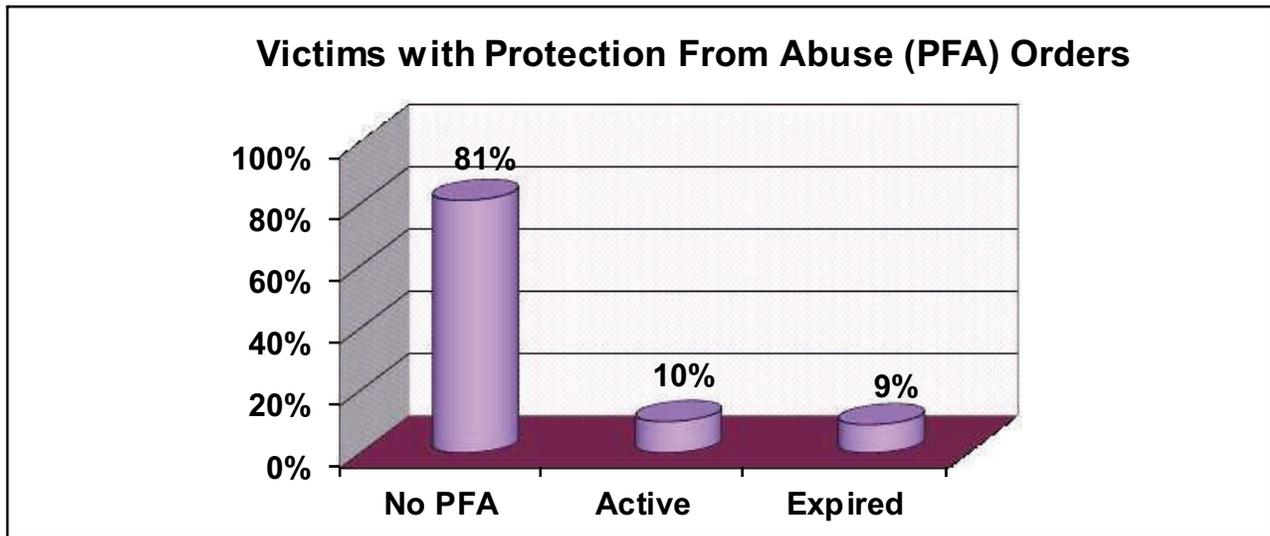
Of the 69 “Intimate Partner” homicides, 32 or 46% of the homicides occurred when the victim attempted to leave or had ended the relationship with the perpetrator.



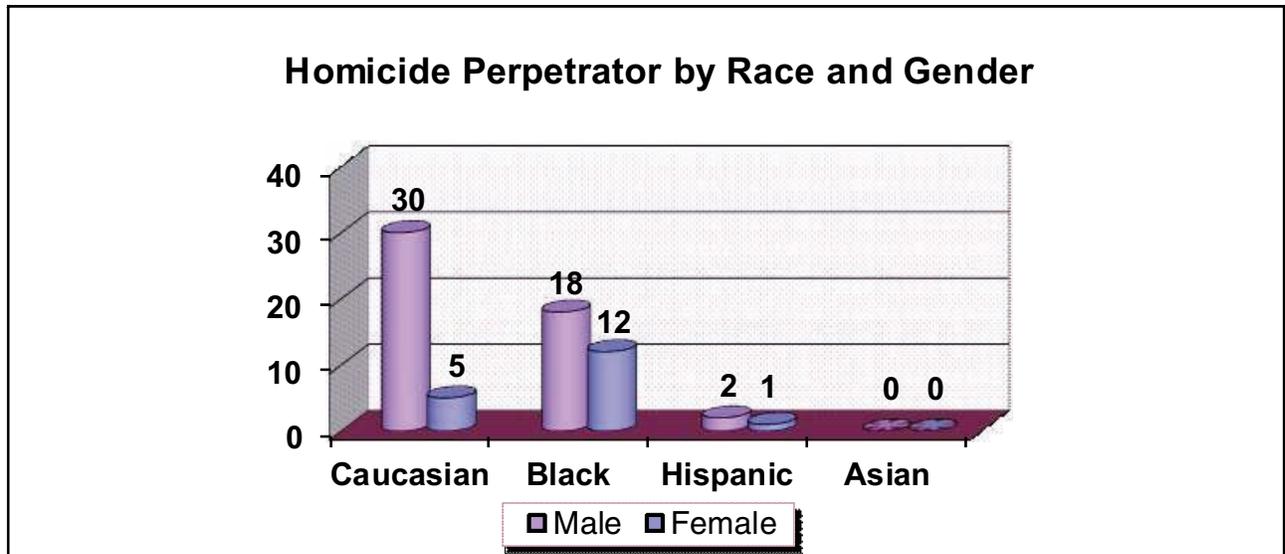
# Intimate Partner Data



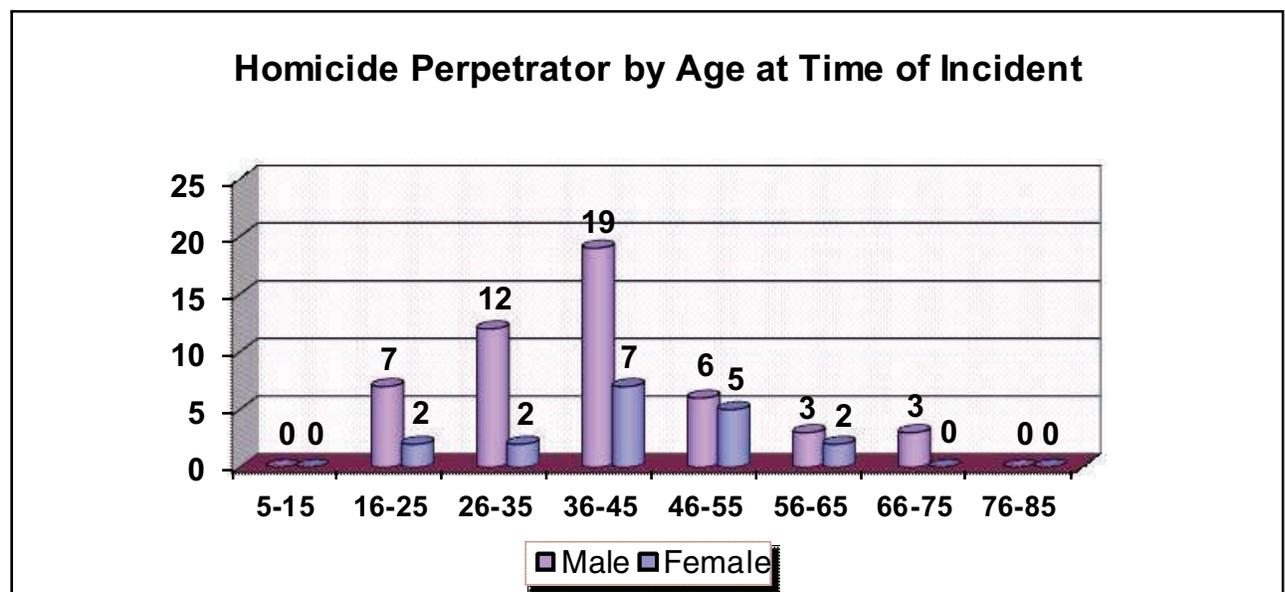
A Protection From Abuse Order (PFA) is issued by Family Court ordering someone to stop abusing another person. Of the 109 cases reviewed in this report, 81% of the victims never had a Protection From Abuse Order.



## Intimate Partner Data



There are 68 “Intimate Partner” homicide perpetrators in this report. Of those, 50 or 74% of the perpetrators were male and 18 or 26% of the perpetrators were female.

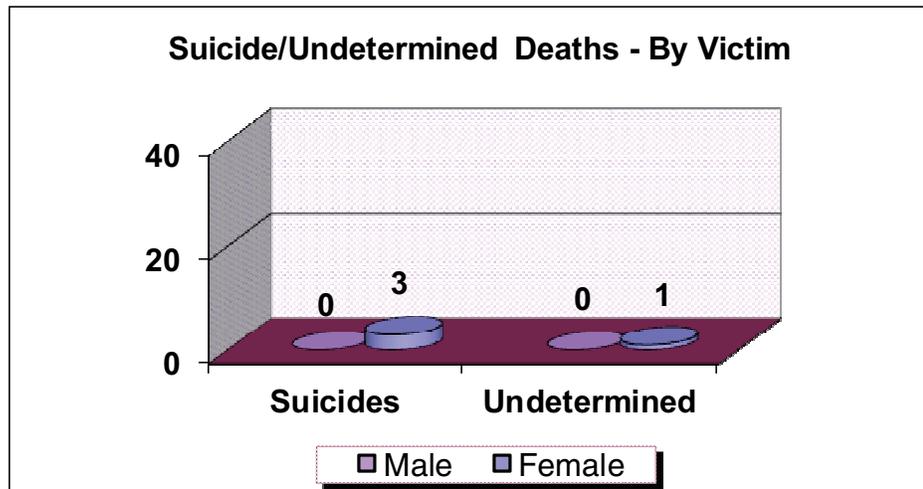
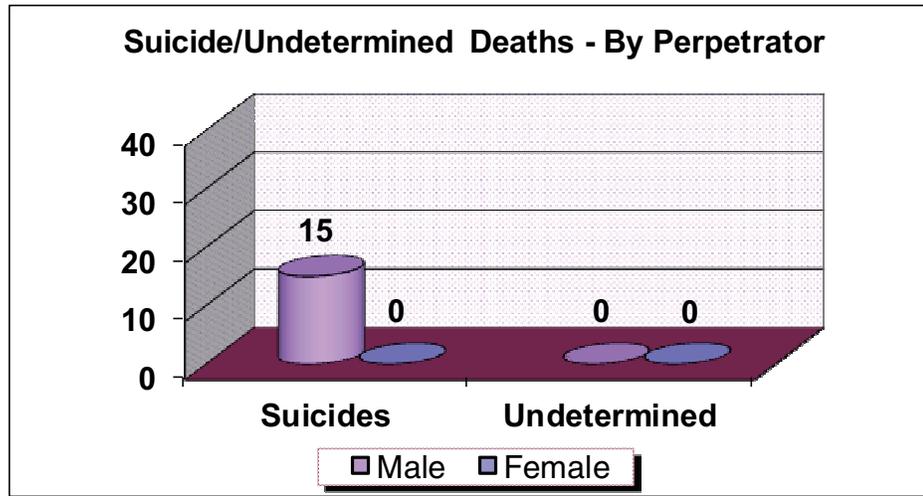


26 or 38% of the perpetrators were between the ages of 36-45 at time of incident.

“Domestic Violence related Suicides” are victims or perpetrators who have taken their own lives and have had a significant history of abuse by or toward their partner.

## Suicides & Undetermined Deaths

Manner of death is the classification of categories used to define whether a death is from intentional causes, unintentional causes, natural causes, or undetermined. If a case lacks a clear indicator as to whether or not the death was intentionally caused by another or accidental, this case will remain suspicious in nature and the exact manner of death will be undetermined.

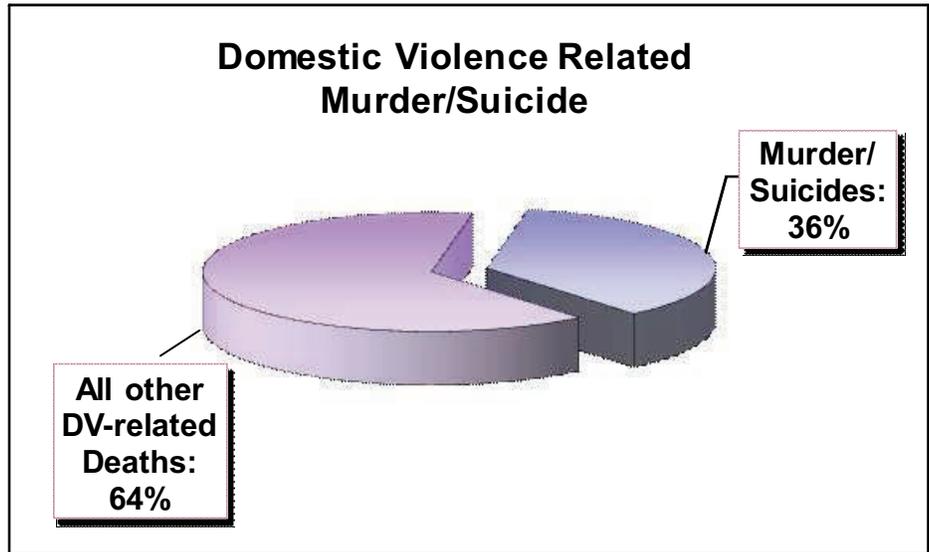


There were a total of 20 domestic violence related suicides, including one undetermined death. Of those 20 domestic violence related suicides/undetermined deaths the victim's death was a result of a firearm in 14 or 70% of the cases. Two of the deaths resulted from hanging. And one death each resulted from jumping from a bridge, suicide by train, overdose and arson.

50 of the deaths included in this report were the result of murder/suicide. This means that 36% of the deaths that were reviewed by the Fatal Incident Review Team over 15 years were the result of murder/suicide.

## Murder/Suicide Data

The term “Murder/Suicide” refers to those cases where the perpetrator murdered the victim and then committed suicide.



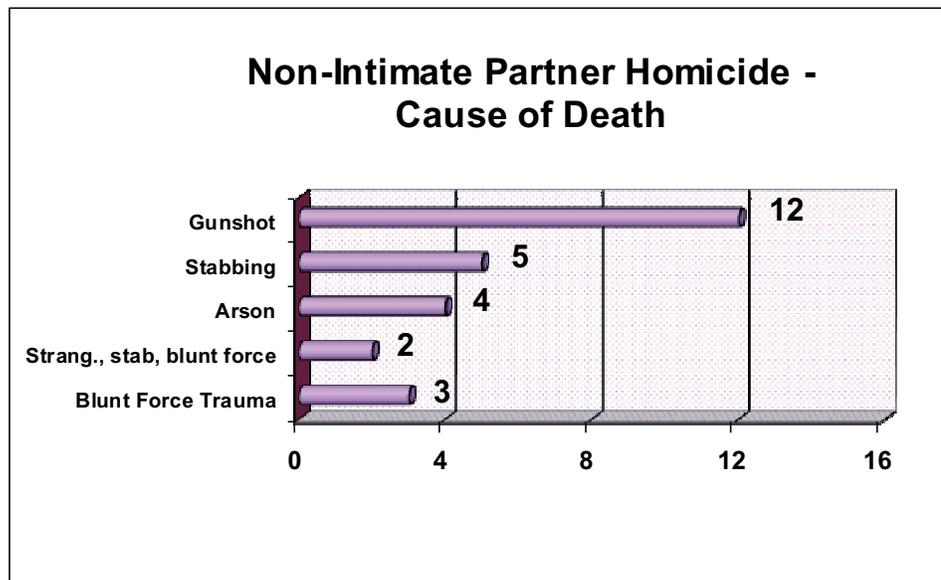
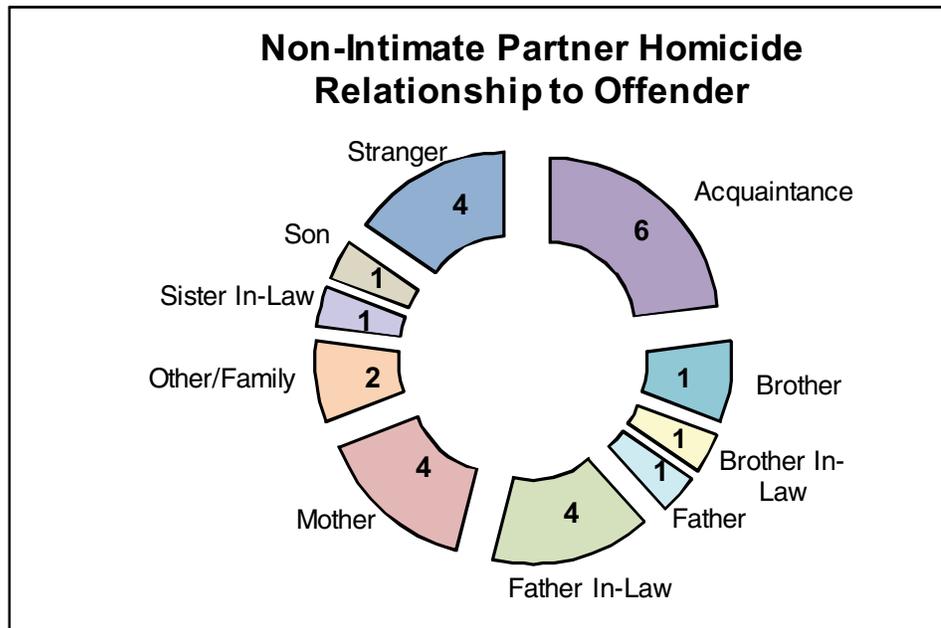
Of the 140 Domestic Violence deaths included in this report, 50 deaths or 36% resulted from murder/suicide. There were 25 murder/suicide cases. Of those, 23 or 92% of the perpetrators of these murder/suicides were male and 2 or 8% of the perpetrators were female.

## Non-Intimate Partner Data

### Location of these Homicides:

- 8 of the deaths occurred at the shared home of the victim and the perpetrator.
- 8 of the deaths occurred at the victim's home.
- 4 of the deaths occurred at the perpetrator's home
- 2 of the deaths occurred in a car, on the street or in a parking lot
- 1 at an acquaintance/friend's home
- 1 at the perpetrator's girlfriend's home
- 1 at the victim's place of employment
- 1 at the victim's boyfriend's home.

“Non-Intimate Partners” are individuals who are not intimate partners, but have a familial relationship, such as, mother/adult son, or brother/sister. Of the 95 homicides included in this report, 26 or 27% were “Non-Intimate Partner” homicides. Also included in these homicide numbers are victims who were bystander victims (friends, acquaintances or strangers).



# 2011 Year in Review

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The number of domestic violence related deaths in 2011 identified by the Domestic Violence Coordinating Council is 13 (3 murder/suicides (resulting in 6 deaths), 5 homicides and 2 domestic violence related suicides).

## **Children and Domestic Violence Fatality**

- Of the 109 cases in this report, 69% of the cases impacted children. Of the 109 cases in this report, 103 children lost a parent due to domestic violence.

## **Intimate Partner Domestic Violence Homicide**

- 73% of the homicides recorded in this report were intimate partner homicides. 75% of those deaths were female victims. Of those females, 54% were current wives or former wives. 40% of the female victims of Intimate Partner homicide were between the ages of 26 and 35.
- 48% of the Intimate Partner homicides included in this report occurred when the victim ended the relationship or attempted to leave.
- 74% of the Intimate Partner homicides included in this report occurred in the victim's own home or the shared home of the victim and the perpetrator.
- 73% of the Intimate Partner homicide perpetrators in this report were male. Of those males, 62% were between the ages of 26 and 45.
- 36% of the deaths in this report resulted in murder/suicide. 92% of the perpetrators of murder/suicides included in this report were male.

## **Firearms and Domestic Violence Fatalities**

- 52% of the Intimate Partner homicides in this report were the result of a shooting.
- 46% of the Non-Intimate Partner homicides in this report were the result of a shooting.
- 70% of the Domestic Violence Related suicides in this report were the result of a shooting.

## **Domestic Violence Related Suicide**

- 80% of the Domestic Violence Related Suicides in this report were male DV perpetrators.
- 35% of the Domestic Violence Related Suicides in this report occurred in the victim's home.

## **Protection From Abuse Orders**

- 90% of the homicide victims in this report did not have an active PFA at the time of the fatality.

# FIRT Recommendations & Responses for Improving System Response

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The ultimate purpose for reviewing domestic violence fatalities is to reduce the incidence of such deaths. At the end of each case review, following the presentation of information, team members are asked if they have any recommendations for improving the system response to domestic violence.

The 2011 FIRT Recommendations were sent to relevant agencies and organizations throughout the State. The Responses to those Recommendations are listed below in **BOLD**.

The Domestic Violence Coordinating Council is extremely grateful to the participating agencies for their commitment towards the mission to improve the system's response to domestic violence. We are fortunate to have the high level of co-operation demonstrated by the agencies' response to the Fatal Incident Review Team's recommendations.



## COURTS

### Recommendation:

Justice of the Peace Court should provide training for its staff regarding what bail should be set in domestic violence cases.

### Justice of the Peace Court Response:

The Justice of the Peace Court continues to provide trainings to its Magistrates regarding domestic violence on a regular basis. This year, new bail guidelines were issued and the section on domestic violence cases was revamped. The Magistrates received training this year on those new bail guidelines.

## Delaware Coalition Against Domestic Violence

### Recommendation

DVCC and the Delaware Coalition Against Domestic Violence (DCADV) should incorporate Stalking warning signs into their Domestic Violence educational and awareness outreach materials.

### **Delaware Coalition Against Domestic Violence Response:**

The Delaware Coalition Against Domestic Violence consistently incorporates information about stalking warning signs in our semi-annual DV101 training as well as numerous other training presentations and in resource materials. DCADV provides information on protective strategies based on the latest research as well as advocacy best practice.

### Recommendation

DVCC and DCADV should continue their efforts of public awareness regarding the danger of firearms and other weapons in domestic violence.

### **Delaware Coalition Against Domestic Violence Response:**

The Delaware Coalition Against Domestic Violence consistently incorporates information about the dangers of firearms and other weapons in our training and public education presentations. DCADV has not done specific public education campaigns on the dangers of firearms in domestic violence cases and would need additional resources to do so.

## Domestic Violence Coordinating Council

### Recommendation:

DVCC and DCADV should incorporate Stalking warning signs into their DV awareness outreach and also address that males are victims of Domestic Violence as well as females.

### **Domestic Violence Coordinating Council Response:**

The DVCC will continue to include stalking warning signs in their DV awareness outreach. Stalking can be used by domestic violence perpetrators to gain and maintain power and control over their victims. DVCC Training and outreach efforts always make clear that domestic violence victims are of every age, gender, race and socioeconomic class.

## Domestic Violence Coordinating Council Continued

### Recommendation:

Domestic Violence Coordinating Council (DVCC) and the Delaware Coalition Against Domestic Violence (DCADV) should continue their efforts to increase public awareness regarding the danger of firearms and other weapons in violent and abusive relationships.

### Domestic Violence Coordinating Council Response:

The DVCC continues to provide information on the danger of firearms and other weapons in violent and abusive relationships when it provides trainings in the community. The DVCC also continues to support the use of Lethality Assessment screens by law enforcement. These screens recognize the danger of weapons and escalating violence and help to put those domestic violence victims in high risk cases, in contact with hotline staff that can assist them in maintaining their safety.

## Probation & Parole

### Recommendation

Probation and Parole should continue to communicate with service providers regarding a probationer's compliance with court-ordered batterers' intervention treatment.

### Probation and Parole:

Probation and Parole Officers routinely communicate with Probationer's service providers to determine whether or not they are in compliance. These compliance checks are currently mandated by P&P policy with the frequency of the check being dictated by supervision level. Probation and Parole will continue the current practice of communicating with batterers' intervention treatment programs in regard to offender compliance as a part of the supervision plan for the offender. The compliance checks will continue through individual case conferences with the provider, progress reports and discharge summaries.

### Recommendation

Probation and Parole should explore the possibility of receiving electronic notices for Violations of Probation and Parole Hearings.

### Probation and Parole:

Probation and Parole supports the idea of receiving electronic notices for Violation Hearings but it is not something the Probation and Parole controls since the notices are generated by the Courts and the Board of Parole. Probation and parole has already begun exploring the possibility of receiving electronic notices for Violation Hearings. P&P currently receives electronic notice of scheduled Parole hearings from the Board of Parole. These electronic notices are sent to all P&P offices. In addition, we recently had discussions with the Administrative Office of the Courts (AOC) regarding a comprehensive exchange of information electronically between DOC and the Courts and will continue working with the AOC to develop a system that is beneficial to all. These discussions included a component where P&P would receive electronic notice of violation hearings from all courts in the state.

## Law Enforcement

### Recommendation:

All Law Enforcement agencies should adhere to the Model Law Enforcement Domestic Violence Policy Section D.1.b and make arrests in all domestic violence misdemeanor cases in which there is probable cause.

### Camden Police Department Response:

The Camden Police Department follows the above recommendation. According to the Camden Police Department's Standard Operating Procedure 16-6 Domestic Violence:

#### IV. ARREST

A. All arrests will be made by the Officer in which probable cause exists. A victim will not sign the warrant.

B. Authority to arrest without a warrant for misdemeanor offenses committed outside the officer's presence is found in the Delaware Code, Title II, section 1904. This statute allows an officer to make an immediate arrest without obtaining a warrant for a misdemeanor not committed in the officer's presence, if the misdemeanors involved physical injury or threat thereof, or any misdemeanor involving unlawful sexual contact or attempted sexual contact. For example, such arrests are made when there is probable cause, including signs of physical injury, continuing threats, or weapons in view. The officer may arrest without a warrant for any misdemeanors committed in his presence.

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### Clayton Police Department Response:

Domestic Violence Directive #8

#### IV. Arrest

A. Arrests will be made by the officer in all cases in which probable cause exists. All felony cases will be referred to an investigative unit. A victim cannot sign a felony warrant.

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### Delaware State Police:

According to the policy of the Delaware State Police, if the investigation of a domestic violence incident reveals that probable cause for a misdemeanor crime exists, an arrest should be made. If an arrest for a domestic violence misdemeanor crime is to be made, the officer will sign the warrant. If an arrest is not made, the facts supporting that decision shall be documented in the incident report. If probable cause for a felony crime exists, an arrest is mandatory. If an arrest for a domestic violence felony crime is to be made, the officer will sign the warrant.

---

### Delaware River & Bay Authority:

The DRBA Police Department does make arrests in all domestic violence misdemeanor cases in which there is probable cause.

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### Delmar Police Department Response:

In all instances where probable cause exists, and there is a sign of physical violence, an arrest is made.

## Law Enforcement Continued

### **Dover Police Department Response:**

Dover Police Department is in compliance with the Model Law Enforcement Domestic Violence Policy Section D.1.b and makes arrests in all domestic misdemeanor cases where there is probable cause.

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### **Ellendale Police Department Response:**

It is the policy of Ellendale Police Department to arrest in every domestic violence case in which probable cause exists.

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### **Elsmere Bureau of Police Response:**

The Elsmere Bureau of Police does adhere to the Model Law Enforcement Domestic Violence Policy. Officers make arrests in all misdemeanor domestic violence cases where there is probable cause. If an arrest is not made, officers will make the necessary documentation in the LEISS report.

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### **Felton Police Department Response:**

All officers have reviewed our departmental policy along with the Model Law Enforcement Domestic Violence Policy concerning arrests in all domestic violence misdemeanor cases where probable cause exists. We are in compliance and this recommendation will also be stressed at all roll call training.

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### **Fenwick Island Police Department Response:**

Fenwick Island Police Department fully endorses the recommendation. It has been my policy as Chief of Police to have zero tolerance with domestic violence. My staff knows that if there is probable cause of violence in a domestic violence situation, then there is to be an arrest.  
Chief William H. Boyden

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### **Greenwood Police Department Response:**

We follow the Fatal Incident Review Team's recommendations. The Greenwood Police Department strives to protect victims from these perpetrators. The department also ensures that other agencies are notified when appropriate and victims are made aware of all the resources that are available to them.

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### **Laurel Police Department Response**

The Laurel Police Department will agree to adhere to the Model Law Enforcement Domestic Violence Policy.

## Law Enforcement Continued

### **Middletown Police Department Response:**

Middletown Police Department Domestic Incident Policy, Section IV., B. 1. states: Officers will make an arrest when probable cause and legal authority exist to make an arrest. Field release and issuance of a citation are not permitted in domestic violence cases when grounds for an arrest are present.

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### **New Castle City Police Department Response:**

New Castle City Police Department follows the above recommendation. According to the New Castle City Police Domestic Violence Directive Number 33-6-1:

#### **V. RESPONDING OFFICER PROCEDURES**

##### **B. Arrest**

1. Officers will make an arrest when probable cause and legal authority exist to make an arrest. Field release and issuance of a citation are not permitted in domestic violence cases when grounds for an arrest are present.

---

### **New Castle County Police Department Response:**

The New Castle County Police has a strict domestic violence policy that recognizes the need for law enforcement intervention when the victim is unwilling, reluctant or unable to pursue the matter themselves. In all incidents of domestic violence, arrest is our preferred police approach. In felony domestic violence cases, there is no discretion in making an arrest. All felonies require arrest action. In misdemeanor domestic violence cases, discretion to arrest still remains, but it is guided by the department's strong preference for arrest. All officers shall conduct thorough investigations supported by evidence, to include victim and witness statements and crime scene documentation. Use of discretion may not be influenced by the victim's preference for arrest, or non-arrest, of the offender. Situations deemed appropriate for non-arrest must be fully justified and approved by a supervisor prior to clearing the scene. Officers must complete a Domestic Incident Report documenting those conditions leading to a conclusion that an arrest was inappropriate and the alternative actions taken in lieu of an arrest.

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### **Rehoboth Beach Police Department Response:**

Rehoboth Beach Police Department has a policy in place to arrest when probable cause is present in domestic violence misdemeanor cases. The department is in compliance with the Model Law Enforcement Domestic Violence Policy Section D.1.b.

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### **Seaford Police Department Response:**

The Seaford Police Department adheres to the Model Law Enforcement Domestic Violence Policy Section D.1.b. and makes arrests in all domestic violence misdemeanor cases in which there is probable cause.

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## Law Enforcement Continued

### **South Bethany Police Department Response:**

To be in compliance with the Model Law Enforcement Domestic Violence Policy, Section D.1.b, policy for the South Bethany Police has been amended to read, "*Arrest shall be made in ALL domestic violence misdemeanor cases in which there is probable cause.*" (July 30, 2012) The policy further explains possibilities for determining probable cause for domestic violence cases.

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### **University of Delaware Police Response:**

The University of Delaware Police agrees to make arrests in all domestic violence misdemeanor cases in which there is probable cause and this is in the process of being formalized into a policy.

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### **Wilmington Police Department Response:**

Under 11 Del. C. Sec. 1904, an officer can make a warrantless arrest when the person to be arrested has committed a misdemeanor in the officer's presence. When the misdemeanor was not committed in the officer's presence and where reasonable grounds are present, the immediate arrest and removal of a defendant will occur and does not require the victim to leave the scene to obtain a warrant. If reasonable grounds are not met the victim should be encouraged to sign a warrant.

3. In addition, an officer will make a warrantless arrest for a misdemeanor committed out of the officer's presence in any one of the following circumstances:

The officer has reasonable grounds to believe that the person to be arrested committed a misdemeanor involving any signs of physical injury or

The officer has reasonable grounds to believe that the person to be arrested committed a threat of a misdemeanor involving physical injury.

The officer has reasonable grounds to believe that the person to be arrested violated an active protective order issued by Family Court or by a court of any state as per Full Faith and Credit 18 U.S.C. 2265-2266 (1994)

4. The following circumstances may be considered in determining the existence of reasonable grounds:

- a. There are obvious signs of physical injury to the victim;
- b. There is the potential for continued violence to escalate.
- c. Threats to the victim are made in the officer's presence.
- d. Any other misdemeanor is committed in the officer's presence.
- e. Defendant's behavior suggests that he/she may inflict further injury to the victim or others.

5. Once reasonable grounds have been established, even if the victim requests that charges not be filed or becomes uncooperative with the investigation, the officer must pursue the charges and advise the victim of such.

6. The victim and the offender should be informed that the action will be prosecuted by the State and the victim does not have the authority to drop the charges.

7. When a warrant is issued, and no arrest can be made, the officer will make every attempt to serve the warrant. If the suspect cannot be apprehended, notification will be made to the Domestic Violence Investigator for follow up.

## Notes

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If you are in danger, please call 911.

## Domestic Violence/Rape Crisis 24 –Hour Hotline Numbers

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Rape Crisis	302-761-9100
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# Domestic Violence Coordinating Council

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