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Support

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Objectives

- 1 Identify risk and lethality factors.
- 2 Use assessments to make pretrial and sentencing recommendations.
- 3 Collaborate with advocates to keep victims safe.

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Dangerous Cases

What signs or “red flags” have led you to believe that a victim was in danger of being killed by an abusive partner?

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Assessing Dangerousness

- Victim safety is always an issue
 - Lethality factors
 - Risk factors
 - Risk inhibitors
- Intimidation / obstruction

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Process-Oriented Approach

Context

- Case history

Evidence

- Thoughtful and thorough investigation

Analysis

- Sophisticated versus basic issue spotting

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Look at Broader Factors

- Physical
- Legal
- Economic
- Familial
- Social risks faced by victim

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Relationship and Coercion

What kind of danger are they in?

How constricted has the victim's life become?

What might be done to reduce the danger and to enhance free choice?

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Homicide Risk Factors

- Increase in frequency of violence
- Increase in severity of violence
- Use of weapon or threats of use
- Forced sex
- Drug use
- Threats of homicide or suicide
- “Ownership” of the battered partner
- Obsessed with victim
- Stalking behavior
- Abuse of pets
- Strangulation
- Access to firearms
- Assaulted victim while pregnant
- Threatened children
- Avoided arrest

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Risk Factors

Cont'd

- Unemployed
- Battered partner has a child that is not the perpetrator’s biological child
- Battered partner believes perpetrator is capable of killing them

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Risk Inhibitors

- Employment
- Education
- Reputation in the community
- Family ties
- Support systems
- System controls
- Monitoring
- Sanctions
- Victim’s options

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Threat Assessment Tools

Examples

Spousal Risk Assessment Guide (SARA)

Lethality Assessment Plan (LAP)

Level of Service Inventory – Revised (LSI-R)

Danger Assessment — dangerassessment.org

Mosaic — mosaicmethod.com

Idaho Risk Assessment of Dangerousness

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Dr. Jacquelyn Campbell's Danger Assessment

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.)

- 1. Has the physical violence increased in severity or frequency over the past year?
- 2. Does he own a gun?
- 3. Have you left him after living together during the past year?
3a. (If you have *never* lived with him, check here:)
- 4. Is he unemployed?
- 5. Has he ever used a weapon against you or threatened you with a lethal weapon? (If yes, was the weapon a gun? check here:)
- 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/strangle you or cut off your breathing?
10a. (If yes, has he done it more than once, or did it make you pass out or black out or make you dizzy? check here:)

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Dr. Jacquelyn Campbell's Danger Assessment, cont'd

- 11. Does he use illegal drugs? By drugs, I mean "uppers" or amphetamines, "meth", 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, 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

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Maryland Lethality Assessment Program (LAP)

- First responders
- Danger assessment
- Tailored response protocol
- Follow-up

Maryland Network Against Domestic Violence, Lethality Assessment Program for First Responders, https://www.bwjp.org/assets/documents/pdfs/lethality_assessment_for_first_responders.pdf

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Lethality Assessment Project

* A "Yes" response to any of Questions # 1 – 3 automatically triggers the protocol referral.			
1.	Has he/she ever used a weapon against you or threatened you with a weapon?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
2.	Has he/she threatened to kill you or your children?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
3.	Do you think he/she might try to kill you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
* Negative responses to Questions # 1 – 3, but positive responses to at least four (4) of Questions # 4 -11 trigger the protocol referral.			
4.	Does he/she have a gun or can he/she get one easily?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
5.	Has he/she ever tried to choke you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
6.	Is he/she violently or constantly jealous or does he/she control most of your daily activities?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
7.	Have you left him/her or separated after living together or being married?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
8.	Is he/she unemployed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
9.	Has he/she ever tried to kill himself/herself?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
10.	Do you have a child that he/she knows is not his/hers?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.
11.	Does he/she follow or spy on you or leave threatening messages?	<input type="checkbox"/> Yes	<input type="checkbox"/> No <input type="checkbox"/> Not Ans.

Louisville Metro Police Dept. DV Lethality Screen for First Responders

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Why should law enforcement conduct risk assessments?

- Unique position to gather information; victim is more likely to speak candidly
- May be only chance
- Information is gathered in a timely fashion; can be used immediately
- Risk assessment questions yield additional information about the case

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Instruments and Predictions

Challenges

- Accuracy of prediction
- Liability
- Lack of empirical data
- Accuracy of information
- Possibility of false assessments
 - Low risk: “Failure to protect”
 - High risk: Punitive sentencing / constitutional rights

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Why continue to use assessments?

- Information can be useful to victims
- Helps the system with limited resources
- Provides practitioners with “red flags”
- Helpful in concert with other information

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Assessment Benefits

- May increase victim safety
- Provides options for victims
- Monitors offenders
- Homicides: some commonality in predictors

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Additional Benefits

- Help practitioners assess dangerousness
- Significant risk markers are evident
- Identify high risk cases
- Obtain higher bail/bond, no contact provisions, firearms surrender conditions, other protections

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Use by Criminal Justice System

Pre-Plea or
Adjudication

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Conducting an Assessment

Can't rely solely on an instrument!

- Look at criminal history Interview victim and perpetrator
- Interview family & friends of victim and offender
- Ask probing questions
- Interview victim advocate
- Victim has the most reliable information

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Safety Planning

- Make sure victim is adequately protected and has a safety plan in place
- Review and update plan routinely



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Fatality Review

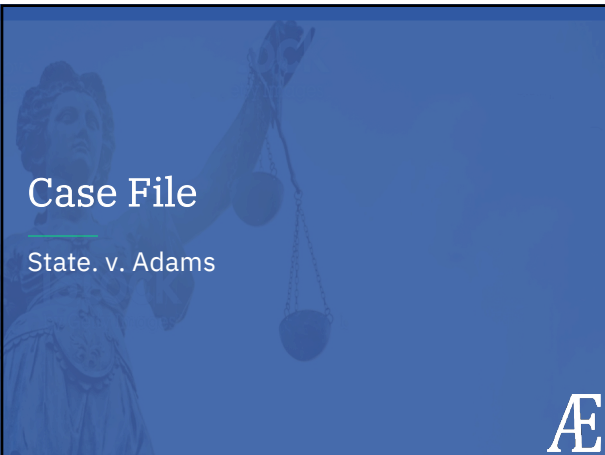
- Review homicides involving domestic violence
- Identify potential gaps in your system's response to domestic violence
- Confidential, collaborative
- Not used to find blame, but to find solutions



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Case File

State. v. Adams



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State v. Adams

- Anthony has been arrested and you're going to court to address bail.
- Eva tells you that she does not want a "no-contact" order because she needs Anthony to give her insulin shots and monitor her blood sugar.
- She has gotten into an argument with her mother and can no longer stay with her.

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Small Group

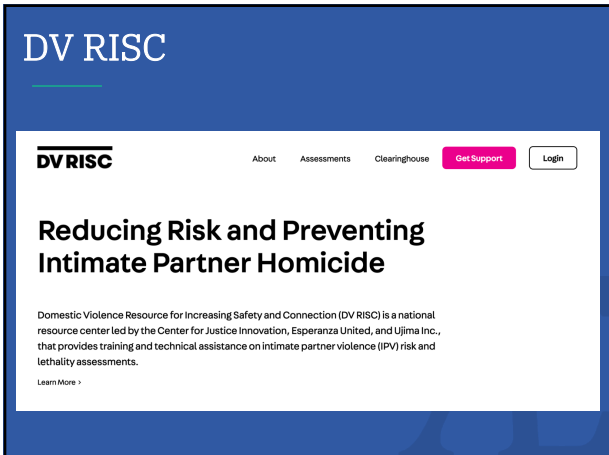
- Groups 1 and 4
 - Prosecutor's response to the victim
- Groups 2 and 5
 - Prosecution's argument concerning bail and conditions of release
- Groups 3 and 6
 - Defense's argument concerning bail and conditions of release

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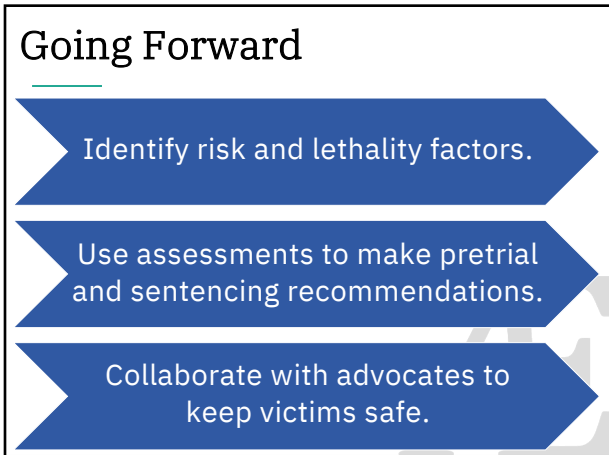
Large Group Discussion

- Group 4: Prosecutor's response to the victim and her advocate
- Group 5: Prosecution's bail argument supported by risk factors
- Group 6: Defense's bail argument

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