



# **Offender Focused Domestic Violence Initiative in High Point, NC: Application of the Focused Deterrence Strategy to Combat Domestic Violence**

NCCADV Conference Presentation  
May 27, 2014

# Panelists



# Theorist, Researcher, & Practitioner Partnership

❖ **Chief Marty Sumner**

High Point Police Department

❖ **Dr. Stacy Sechrist & John Weil**

Office of Research and Economic Development/North Carolina Network of Safe Communities  
University of North Carolina at Greensboro

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# Evolution of OFDVI Strategy



# Demographics of High Point

*Source 2010 Census*

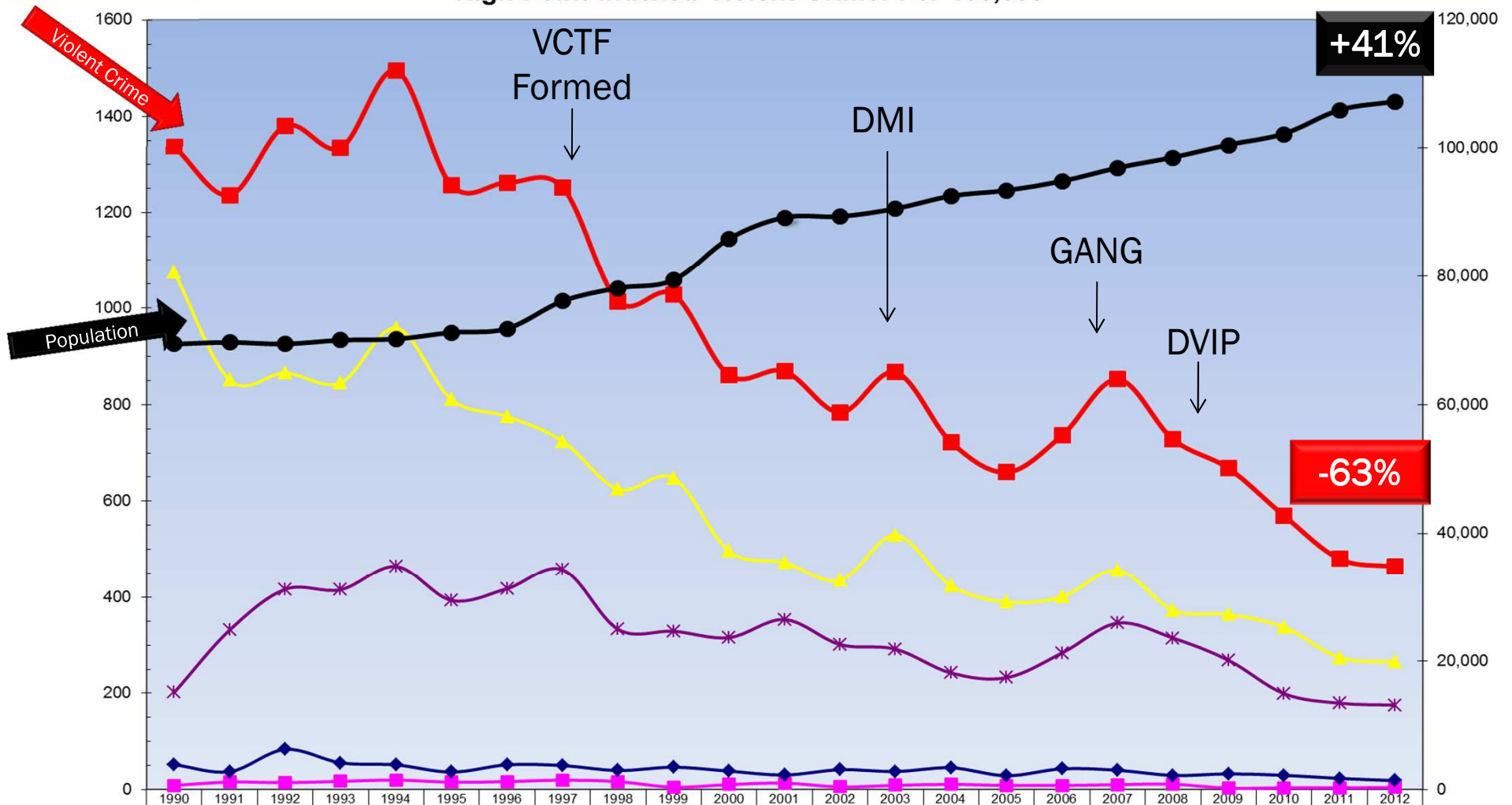
- ∞ 50.6 squares of city
  - ∞ Population 104,371
  - ∞ Racial Makeup
    - 53.6% White
    - 33.0% Black or African American
    - 6.1% Asian
    - 4.4% Other
    - 2.3% Two or more races
    - .6% American Indian
  - ∞ 8.5% Hispanic or Latino
  - ∞ 46,677 housing units, 87% occupied 12.4% vacant
-

# Why Apply the Focused Deterrence Framework to the Domestic Violence Offender in High Point?

- ✎ By 2009, gun, gang, drug related violence [decreased](#); 1/3 of our remaining homicides were DV related including two murder/suicides
  - ✎ Review of David Kennedy's concept paper from 2003  
(*Controlling Domestic Violence Offenders - Paper prepared for the Hewlett-Family Violence Prevention Fund*)
  - ✎ Initial review of DV offenders who committed homicide matched Kennedy's hypothesis
  - ✎ Conducted original research in High Point, ten years worth of DV offender's records by UNCG
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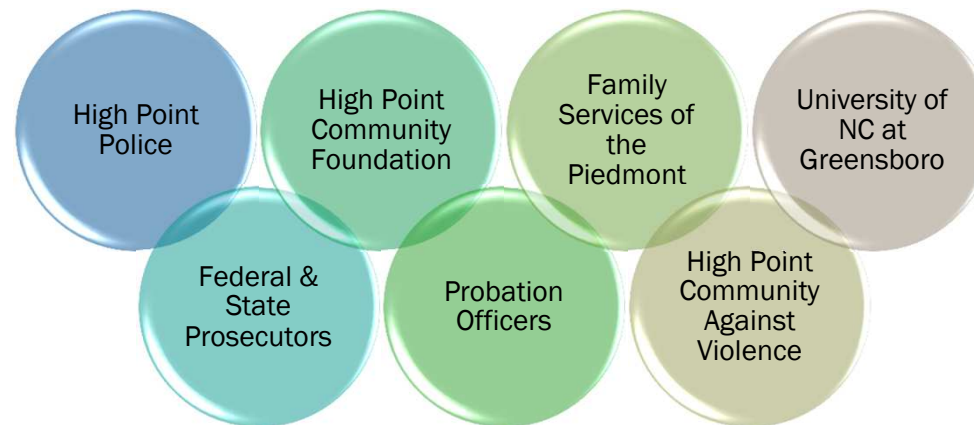
# Long-term Violent Crime Index in High Point

High Point Indexed Violent Crime: Per 100,000



# Statement of Purpose

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



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

Our Answer Was: No



# Impact on High Point Police Dept

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

# Goals for Offender Focused DV Approach

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

# Theory and Concepts

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

# Theory and Concepts Continued...

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

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

# May 17, 2008, 1:22 pm

100 T D L A L 00

Miss Holbrook called officers to have her fiancé, Adam Randall Wallace WM age 26, removed from the apartment for trespassing. The argument started over his viewing of pornography. Wallace had been drinking and was armed with a handgun.



**Victim:**

**Rebecca Dawn Holbrook**

“[click](#) here to play 911 call”

# Myths

## ∞ Myths

1. We will create harm for the victim
2. She can't leave him because he is the breadwinner
3. DV is special violence that the Justice System cannot control
4. DV offender needs "treatment"
5. If I call Social Services will take my kids away
6. If I call I will lose my public housing

## ∞ Reality

1. She is actually safer, assaults down
2. Majority are unemployed
3. Notified DV offenders have a low recidivism rate, they are rational
4. When Psychoeducational and cognitive-behavioral treatments applied only 5% of women less likely to be re-victimized
5. Our experience tells us this is not true
6. Not true

# Mandatory Arrest In Domestic Violence Call-outs Causes Early Death In Victims

Source: University of Cambridge

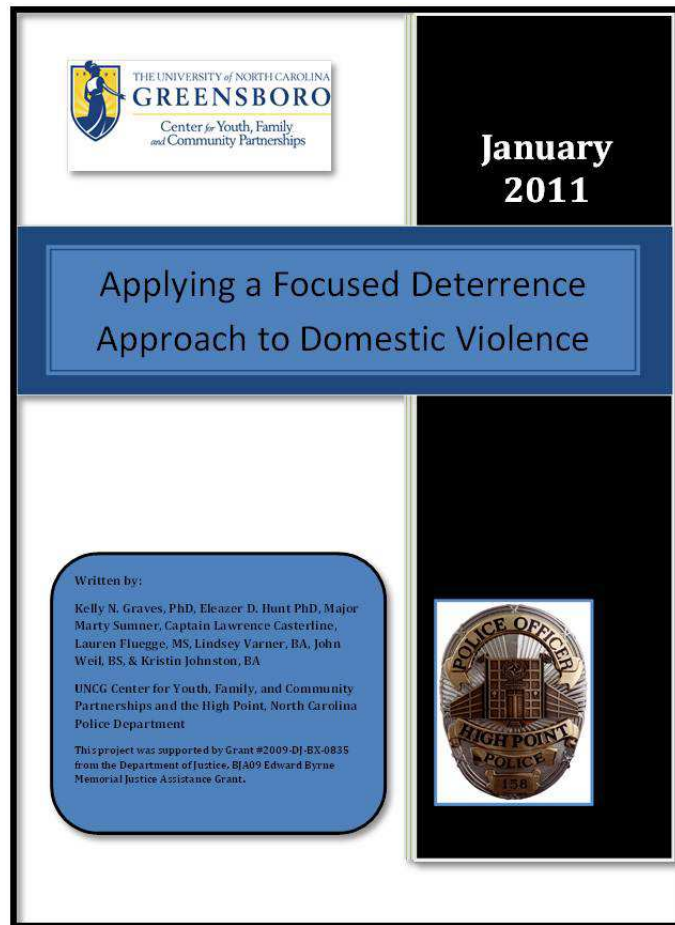
Date: March 2, 2014

Researchers followed up a major “randomized” arrest experiment 23 years ago and found that domestic violence victims whose partners were arrested on misdemeanor charges – mostly without causing injury – were 64% more likely to have died early, compared to victims whose partners were warned but not removed by police.

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# Original Research into High Point Domestic Violence Offenders



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

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

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

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

## Offense Types:

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

## Top 10:

- 6 Violent
- 3 Drug or Alcohol
- 1 Property

# Offender Profile — HP Homicide

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

# Offender Profile — HP Homicide



## ✂ James Henry Smith

- ✂ Stabbed mother-in-law and sister-in-law trying to find wife with another man
- ✂ Drug history, DDR charges
- ✂ 14 HPPD Arrests
- ✂ ADW history
- ✂ Combat Vet with mental illness
- ✂ Under Active 50B Protection Order

# Offender Profile — HP Homicide



✎ Darin Keith Jackson

✎ Stabbed girlfriend and her 8 year old son

✎ Drug history, DDR charges

✎ 13 Arrests

✎ ADW history

✎ Just jailed with Domestic Hold

✎ Prison

# Offender Profile — Chronic Offenders



## ✂ Chris McLendon, Jr.

- ✂ 8 HPPD Assault Arrests
- ✂ Simple to Assault on Female to Felony
- ✂ Drug, Disorderly, Felony Property, Weapon violations
- ✂ Gang Affiliations
- ✂ Unsatisfactory termination 3/06, previous absconder
- ✂ Currently Not Supervised
- ✂ 2004 and 2006 Assault on Females dismissed by DA
- ✂ In prison 10/03 for 4 Felony B&E/Larceny and one Misdemeanor AISI, Out 2/04
- ✂ 12/06 Assault on Female pending Court

# Offender Profile — Chronic Offenders



☞ Timothy Wayne Guyer

☞ 8 DV Arrests

☞ 7 Other Assaults, Robbery


☞ VCTF List

☞ Driving, Threats, Disorderly

☞ 6 Violations of DV Act

# Criteria For Levels

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



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

## Types of Notification

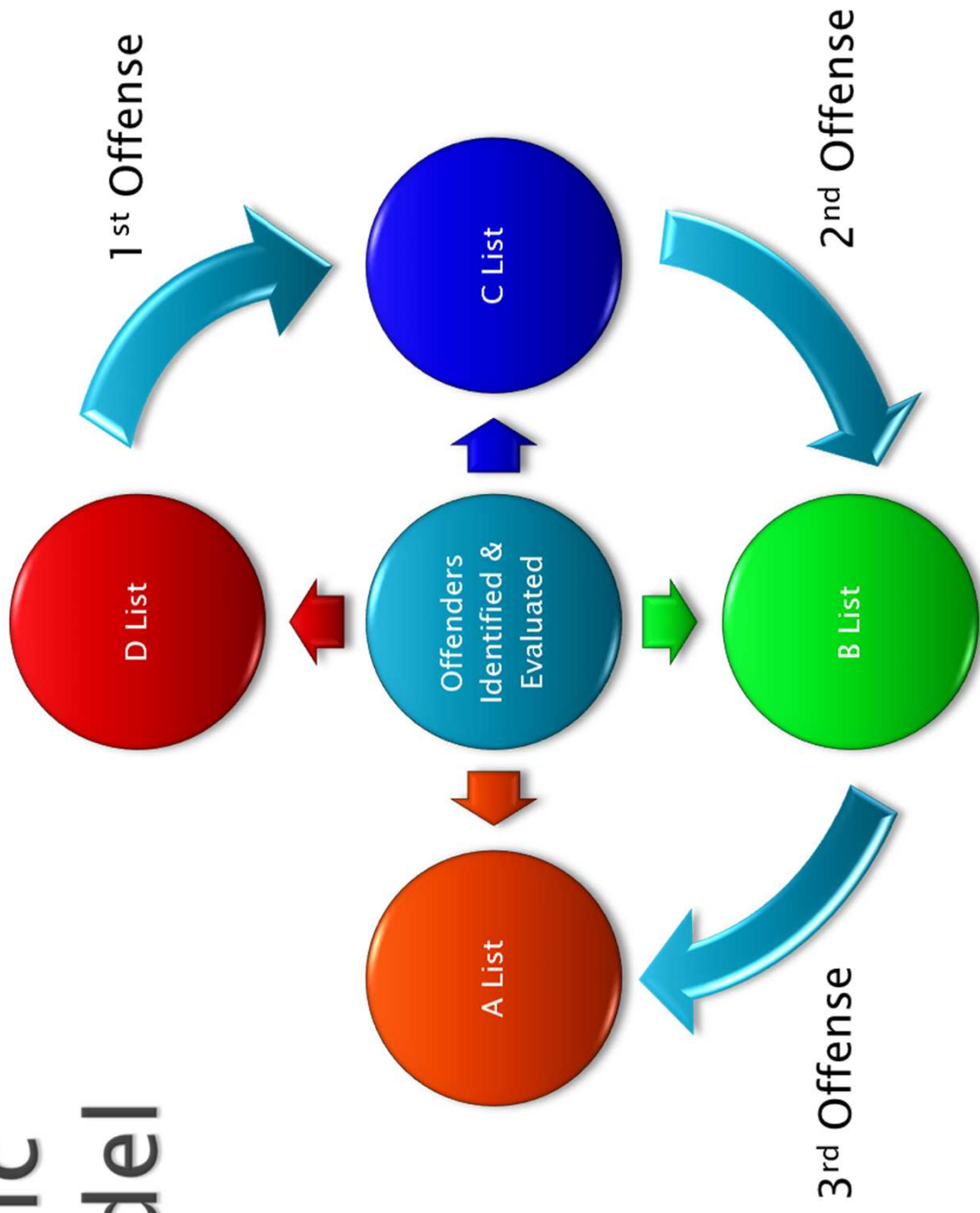
D List	C List	B List	A List
<p>Receives letter from Police putting him on official notice his name is added to the watch list</p> <p>Delivered by a trained patrol officer during a follow up visit within 48 hours of the call</p>	<p>Face-to-face deterrent message from Violent Crime Detective</p> <p>At the time of arrest, before pretrial release, probation visit or follow up visit by Detective</p>	<p>Law enforcement and community message face-to-face</p> <p>Offenders called to a notification perhaps quarterly or more frequent</p>	<p>At time of arrest or indictment</p>



# Ongoing Contact With Victims

D List	C List	B List	A List
Victim receives letter of services offered and explanation of the incremental approach to prohibited acts	Victim receives letter of services Direct contact with Safety Planner Follow with Detective	Victim receives prior notice the offender is being called in. Message reviewed with her first. Offer of cocooning Direct contact Post call-in (Dedicated prosecutor, Civil Attorney services, Victim Advocate)	

# Logic Model



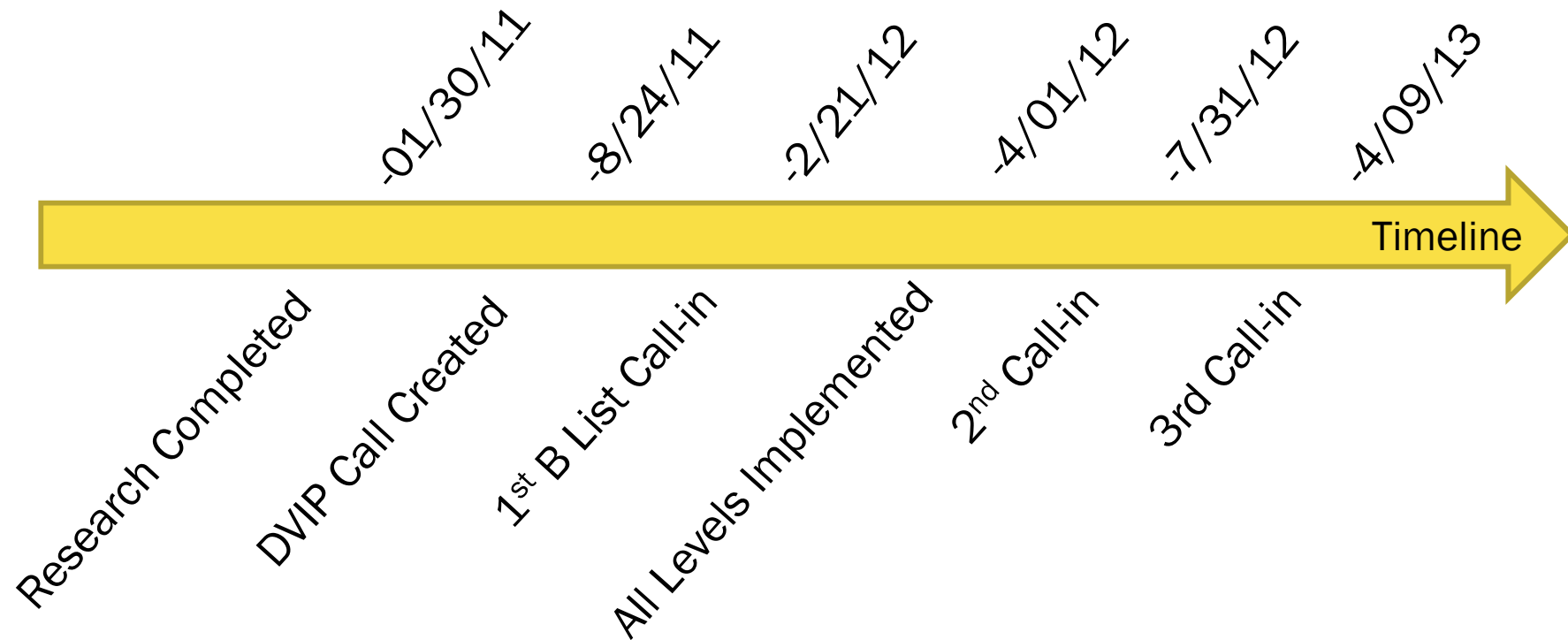
# Victim Contact Process

- ⌘ Attempted contacts with victims
  - ⌘ Victim input still matters; process would be adapted if she indicated an issue
-

# Implementation



# Operational Phases of the OFDVI Strategy



# Implementation

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

# Implementation (cont'd.)

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

# Implementation (cont'd.)

- ∞ Begin prosecution of “A List” Offenders Identified
    - They will be used as examples to lower level groups
    - Most likely to be involved in a homicide
    - Very exposed due to their extensive criminal records
  - ∞ Start delivering ‘D’ letters
    - Take advantage of low level contacts
  - ∞ Begin ‘C’ list notifications
    - Victim no longer in charge of the case, but her input matters
-



# Implementation (cont'd.)

## ∞ B – list face to face notification

- Formal Call-In
- Community Moral Voice
- Custom Legal Notification

## ∞ Tracking/Response for all levels

- Swift, certain consequences for re-offenders

# Sample D List Letters

Marty A. Sumner Chief of Police		PHONE (336) 887-7970 FAX (336) 887-7972 TDD (336) 883-8517
<i>High Point Police Department</i> 1009 Leonard Avenue • High Point, North Carolina 27260		

## OFFENDER FOCUSED DOMESTIC VIOLENCE INITIATIVE

[date of letter]

Dear Mr. [Subject],

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

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

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

Sincerely,

Lt. Kevin Ray  
Violent Crime Unit

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

	OFFENDER FOCUSED DOMESTIC VIOLENCE INITIATIVE	
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## NOTICE TO VICTIM

[Date of Letter]

Dear Ms. [Woman's Name],

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

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

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

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

Sincerely,

Lt. Kevin Ray, Supervisor  
Violent Crime Unit

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

# Call-in Message Community

(Delivered with RESPECT as spoken to a rational adult)

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

# Call-in Message Law Enforcement

(Delivered with RESPECT as spoken to a rational adult)

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

# B List Face to Face Notification

[PLAY VIDEO](#)

February 21, 2102  
High Point City Council Chambers

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# What Do the Victims Say?

- ✎ Offenders heard the message, understood it, and victims reported no post-notification violence
    - “Keep doing it [notification]”
  - ✎ Victims appreciate the message that they are not driving the strategy
  - ✎ Statement from the victim of a B-list offender who was prosecuted: “I know that at the dial of a phone number he [offender] could be arrested... He’ll be lingering, but the police’ll be waiting to catch him for stupidity.”
-

# Evaluation



Findings/Trends

# Defining Success of the Strategy:

## Research Questions & Operational Definitions

### ∞ Is offender behavior changing?

- According to DV victim interviews, they stated, “I just want the violence to stop.”
- Offender recidivism = subsequent DV-related arrest
- DV arrests: changes over time

### ∞ Is victim harm decreasing?

- Harm = reported injuries from DV arrest reports & homicides

### ∞ What will the effect of the strategy be on law enforcement resources?

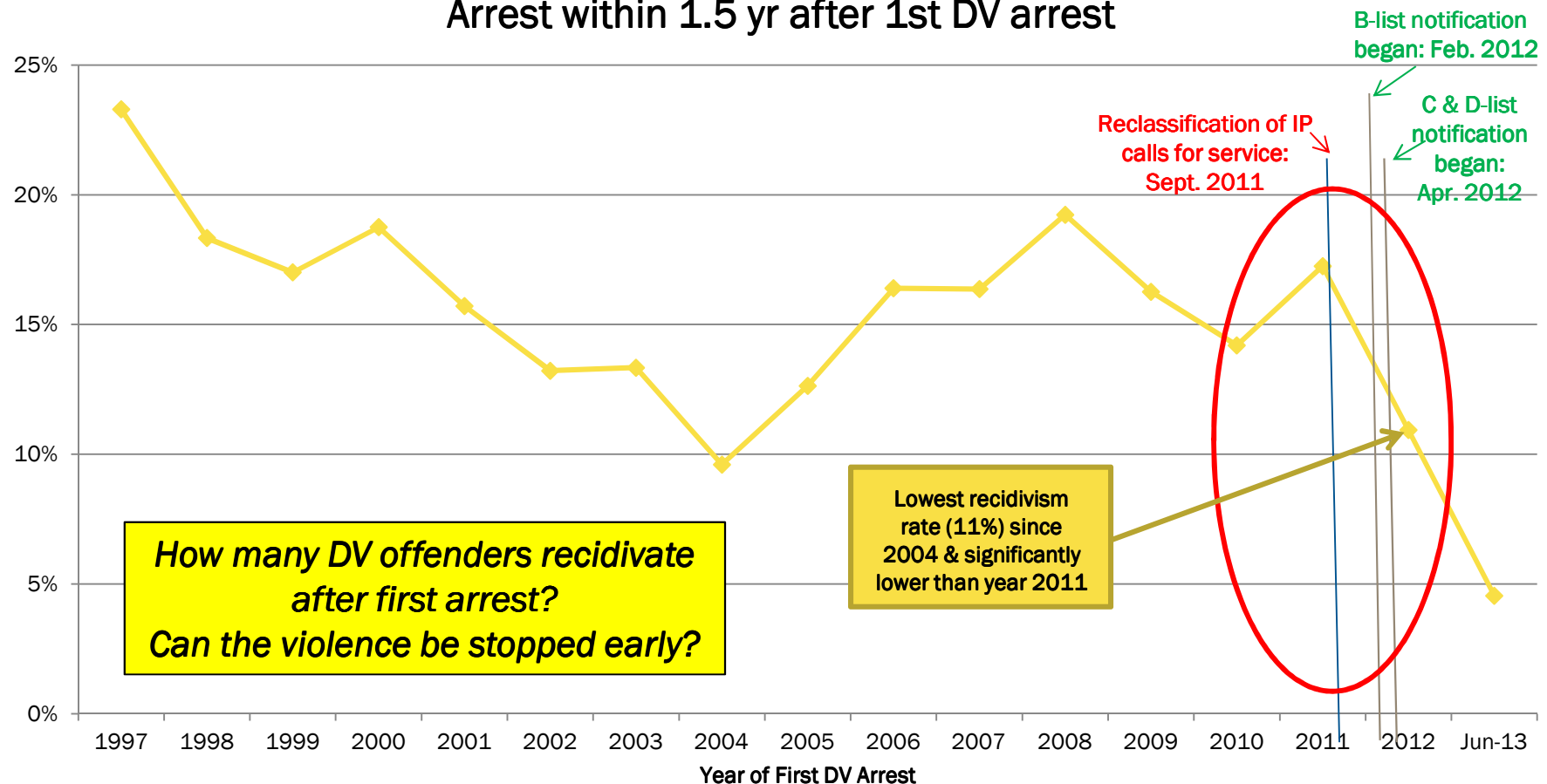
- More of an exploratory question that will be important for replication
  - Resources = calls for service impact
  - Changes over time: pre- vs post-implementation
-



# Is offender behavior changing?

## Domestic Violence Offender Recidivism

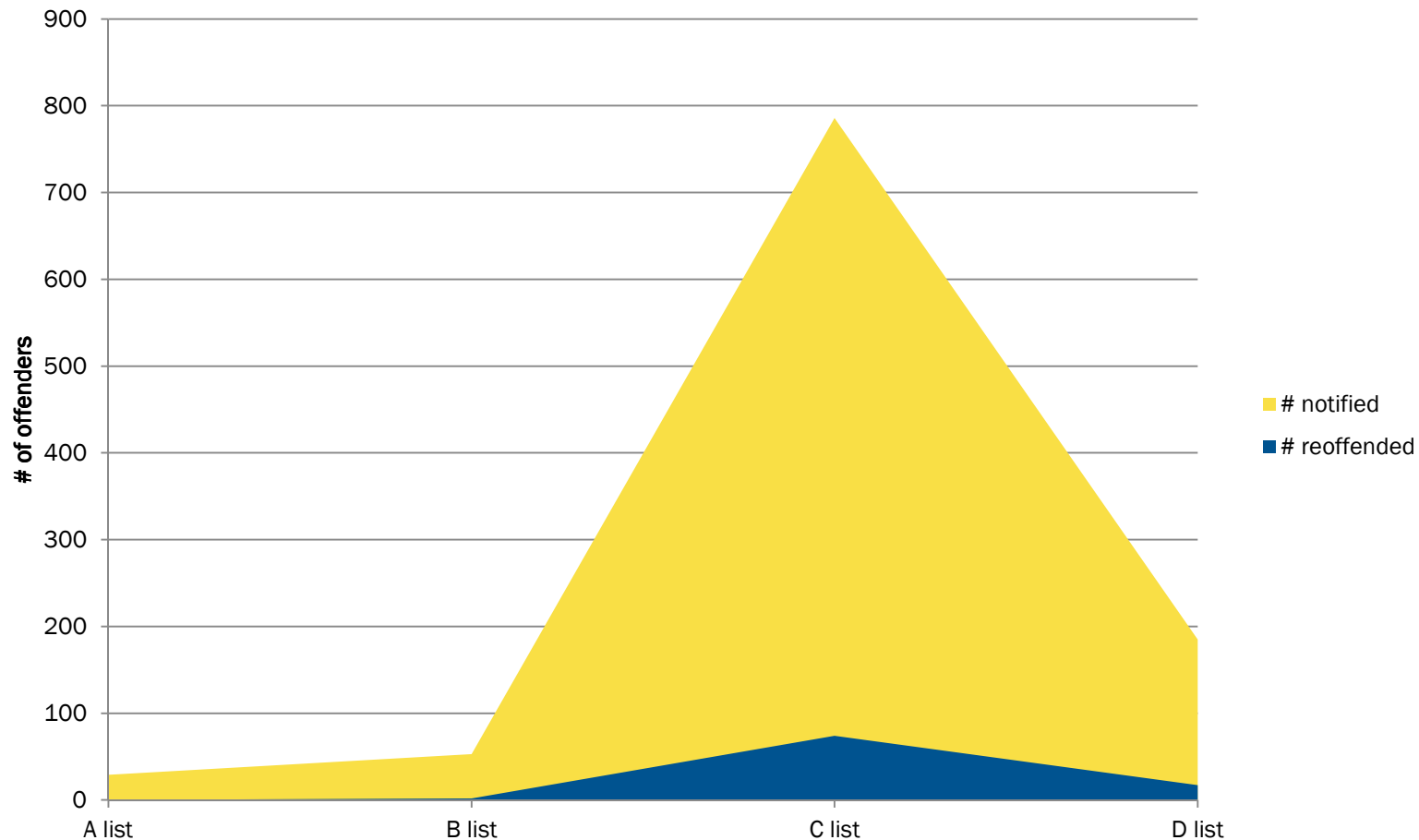
Percentage of First-Time DV Offenders who Reoffended with a DV Arrest within 1.5 yr after 1st DV arrest



# Is offender behavior changing?

## Domestic Violence Offender Recidivism

As of April 2014, only 9% of notified offenders across lists have reoffended ( $N = 1024$ )



# Review of Offender Based Treatment & Other Approaches

Thomas P. George, Ph.D.

Washington State Center for Court Research

Administrative Office of the Courts

Olympia, WA

2012 study

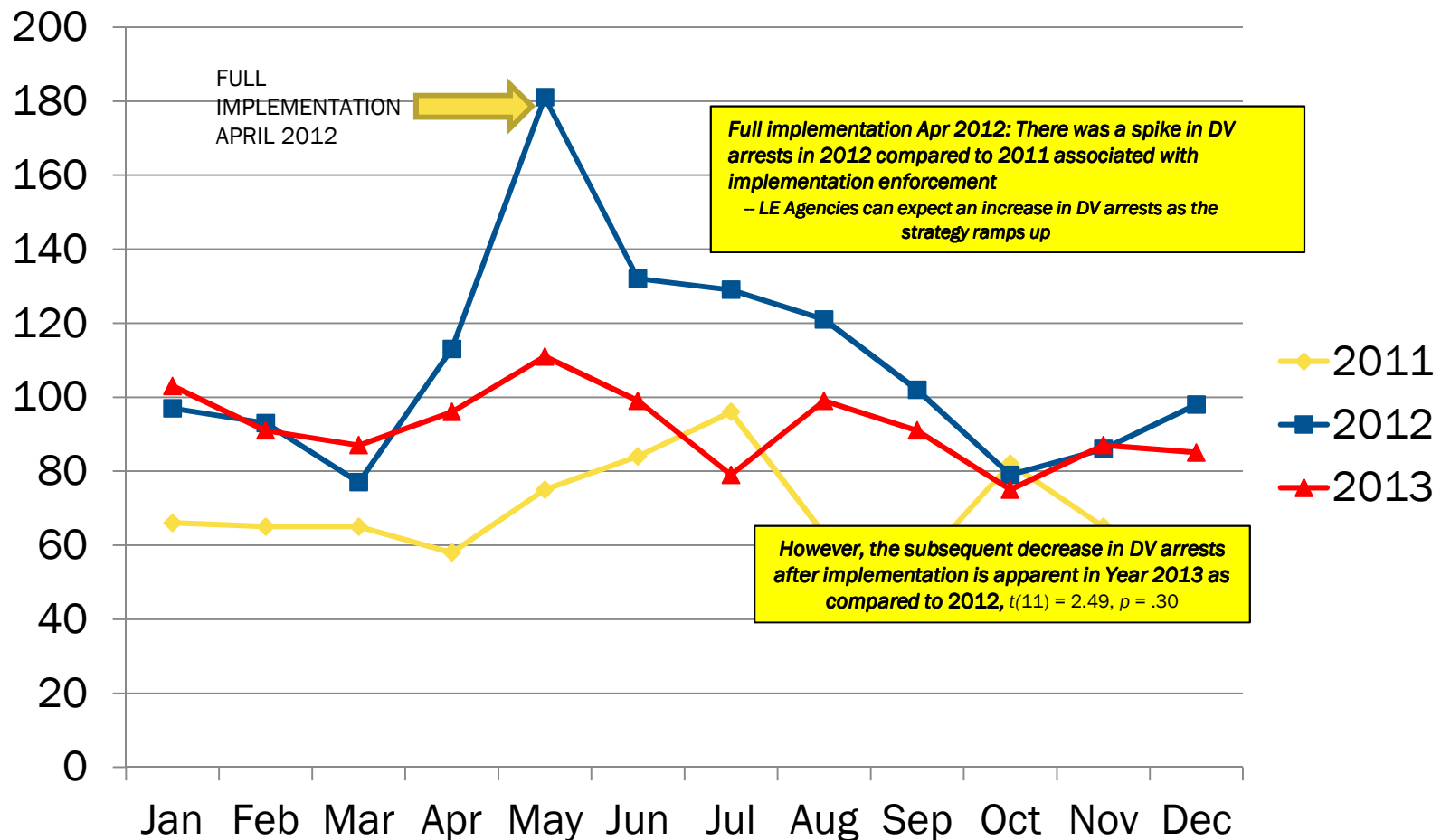
	<u>Any Domestic Violence Offense:</u>		
	Misd	Felony	Misd or Felony
<i>Study Group:</i>	%	%	%
Fines/proscriptions only:	24	4	26
Treatment:			
Anger management:	19	2	21
Domestic violence	28	5	29
Victim-oriented	10	3	12
Probation:	13	2	14
Jail:	51	17	55
Any treatment & probation:	17	3	18
Any treatment & jail:	43	11	47
Jail & probation:	39	11	42
Jail, probation, and any treatment:	36	11	10
<i>All study groups: (n = 14,113)</i>	44	14	47
<i>All sentenced DV offenders: (n = 27,218)</i>	41	12	45

*~9% of offenders notified through the OFDVI strategy have reoffended with a DV arrest which is significantly lower than other more traditional offender treatment options AND... without additional associated costs*

# Is offender behavior changing?

## DV Arrests

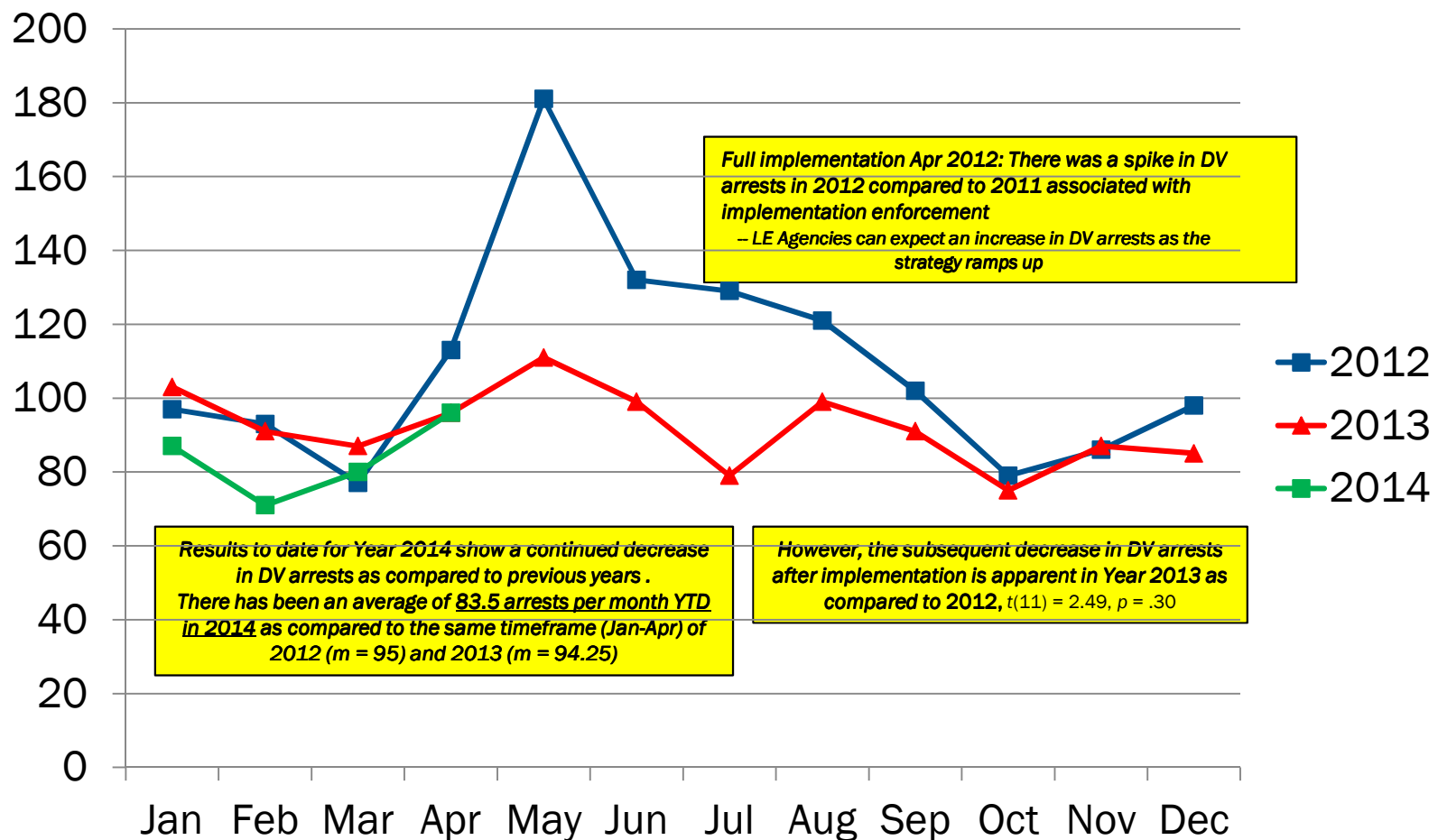
DV arrests have decreased significantly since strategy implementation, Year 2012-2013



# Is offender behavior changing?

## DV Arrests

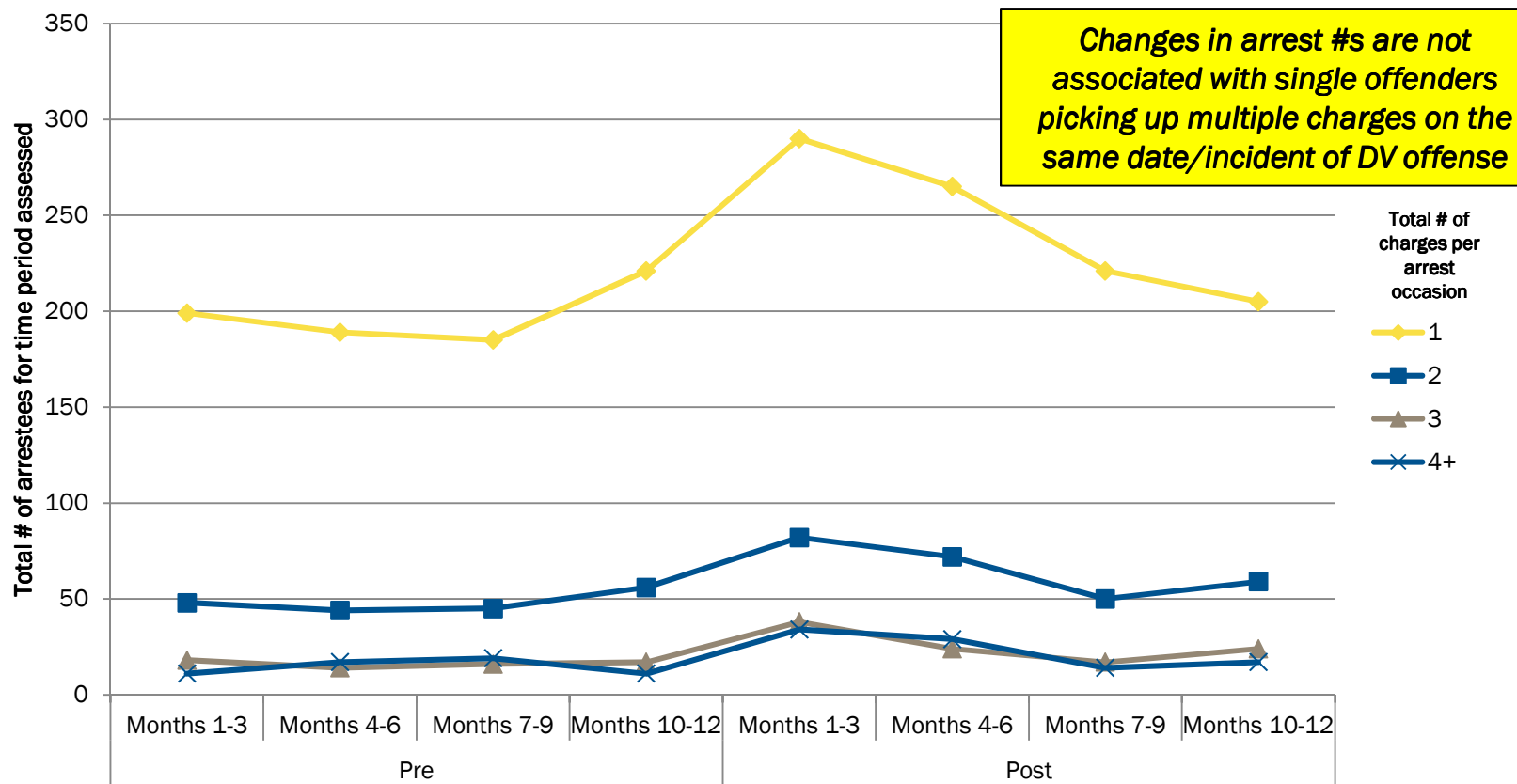
DV arrests have decreased significantly since strategy implementation, Year 2012-2013



# Is offender behavior changing?

## DV Arrests

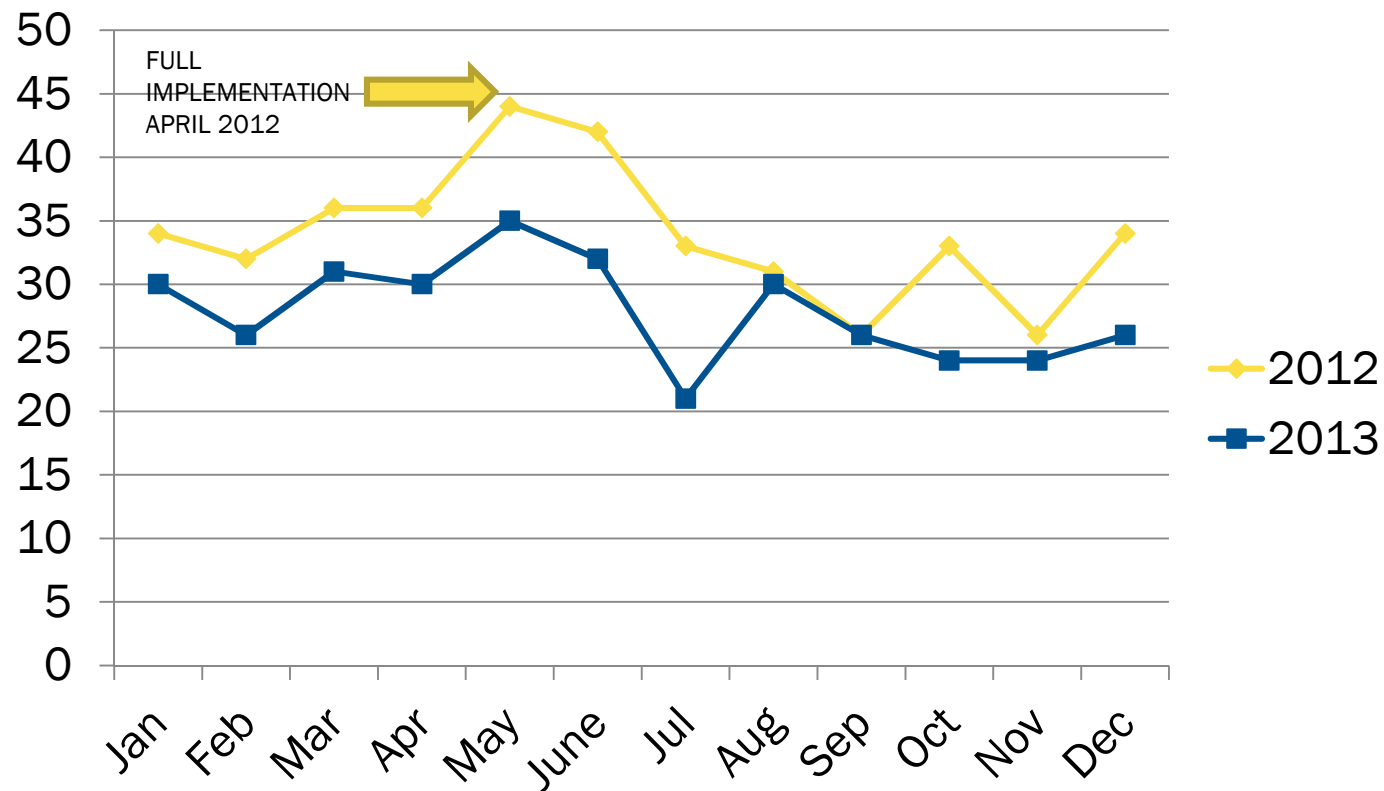
The trend in arrests across time was the same regardless of whether the offender picked up 1 DV charge or multiple charges on one arrest date



# Is victim harm decreasing?

DV assaults with injuries have decreased significantly since strategy implementation,

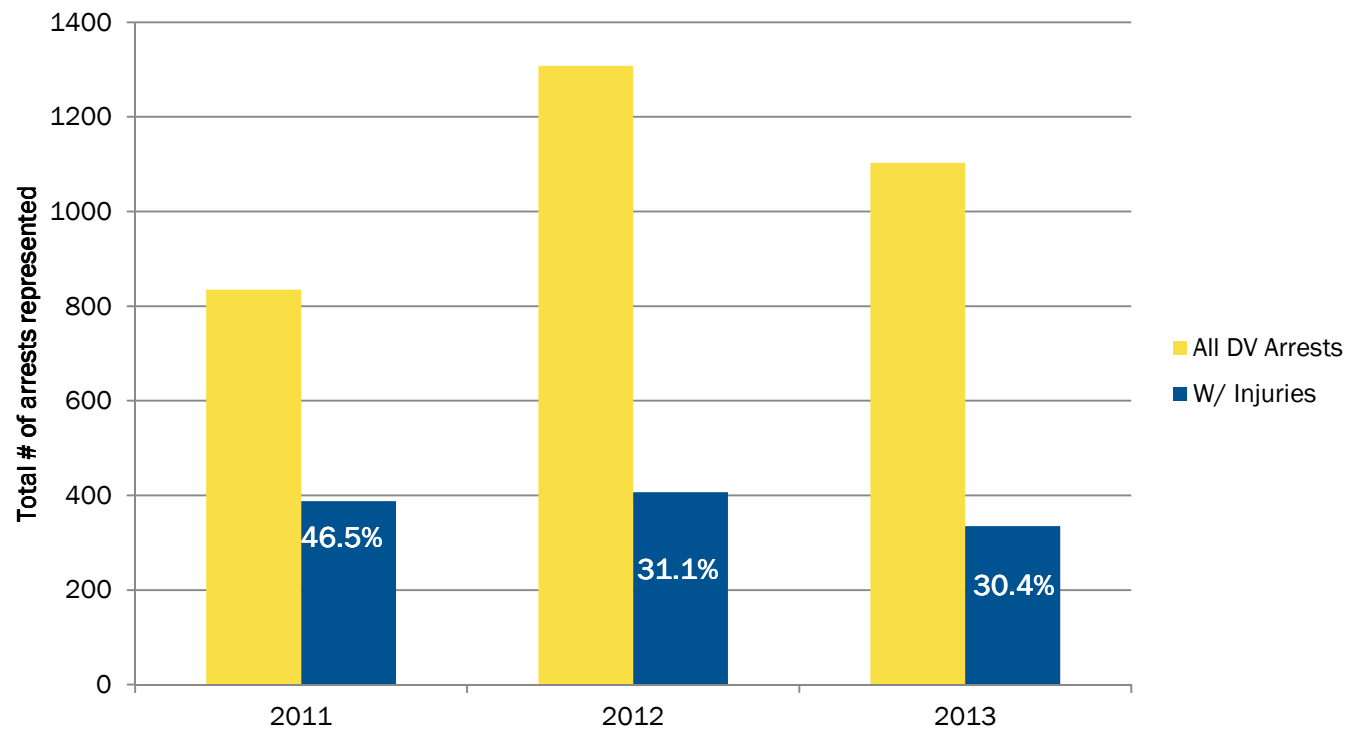
$t(11) = 5.52, p = .0002$



# Is victim harm decreasing?

The percentage of total DV arrests with reported injuries to the victim has significantly decreased over time; Year 2011 vs 2013.

$\chi^2(1) = 23.31, p < .0001$





# Is victim harm decreasing?

## Domestic Related Homicides In High Point

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

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

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

*Guilford County has experienced 7 of 18 (39%) and NC has experienced 49 DV-related homicides up to Oct 2013 for the year (NCCDAV, 2013)*

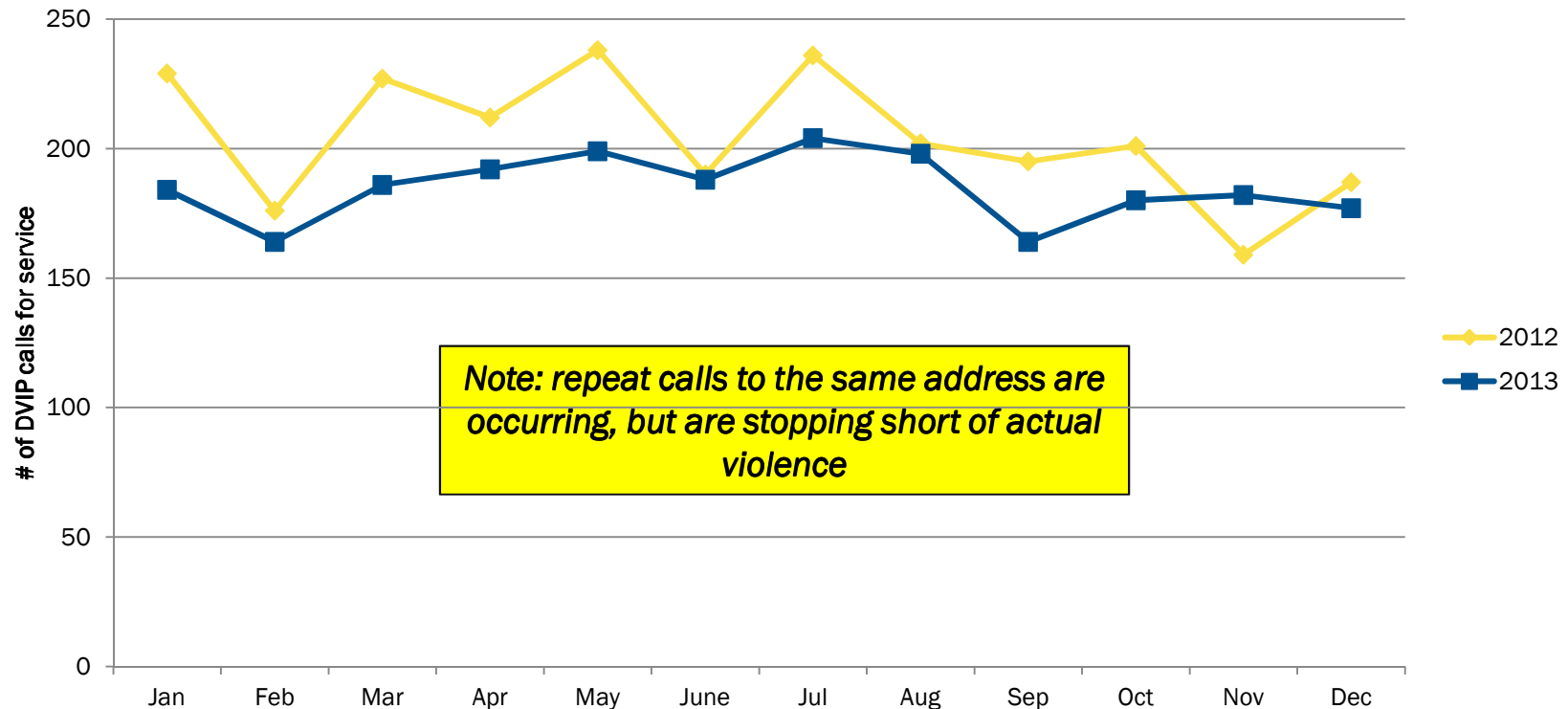
Family recently moved to HP from Ethiopia, no calls to residence, no DSS calls, no ER calls

# What is the effect on law enforcement resources?

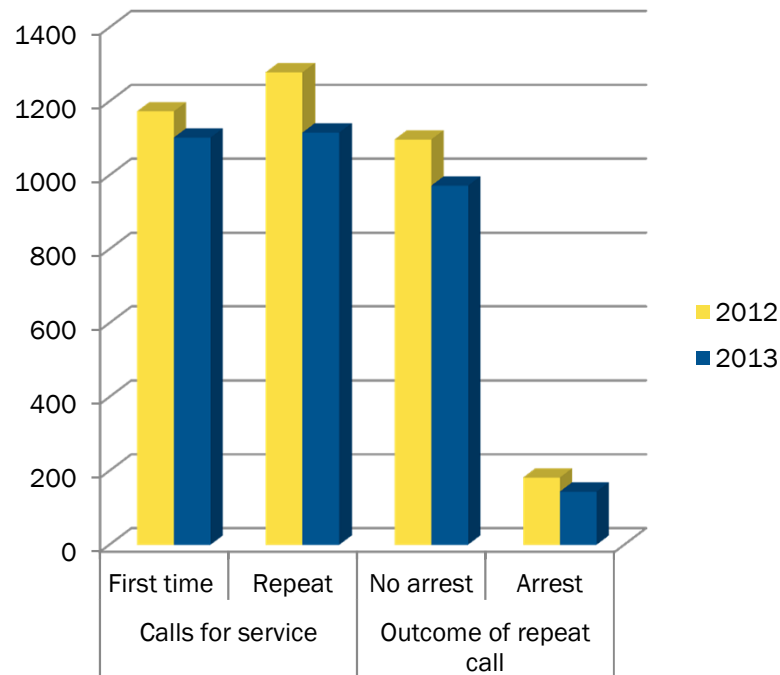
## Calls for Service:

DVIP calls have decreased significantly over time since strategy implementation

$t(11) = 3.42, p = .0057$

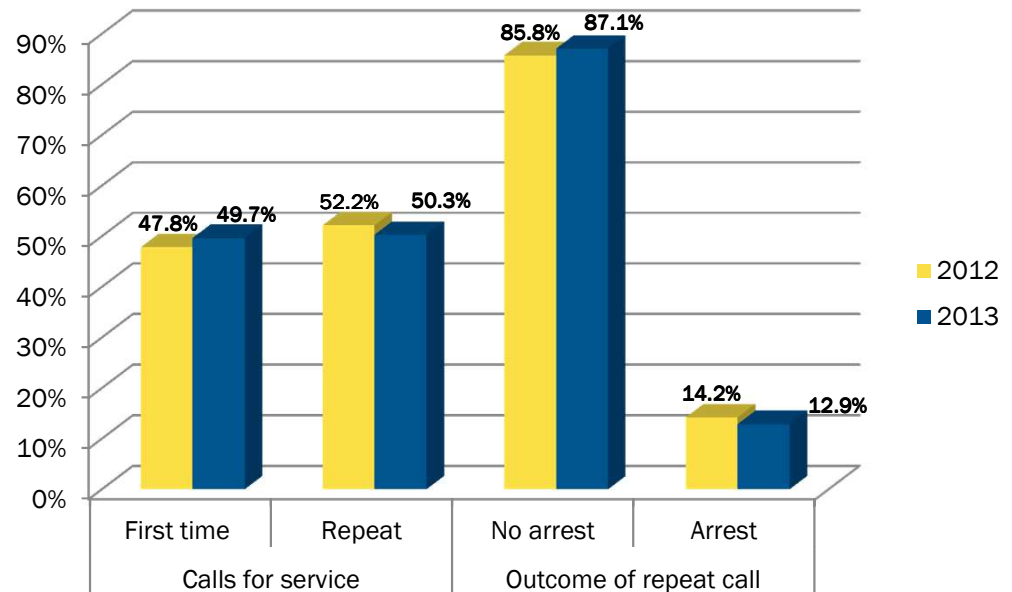


# What's happening with repeat CFS?



Note: We can only look at IP CFS back to Sept. 2011 when the new call classification was put into place.

Something interesting is happening here. Somewhere around 50% of all CFS are repeat calls with the number dropping slightly in 2013. The percentage of arrests made in repeat calls dropped slightly in 2013. Repeat CFS occur, but stop short of violence (thus no arrest).



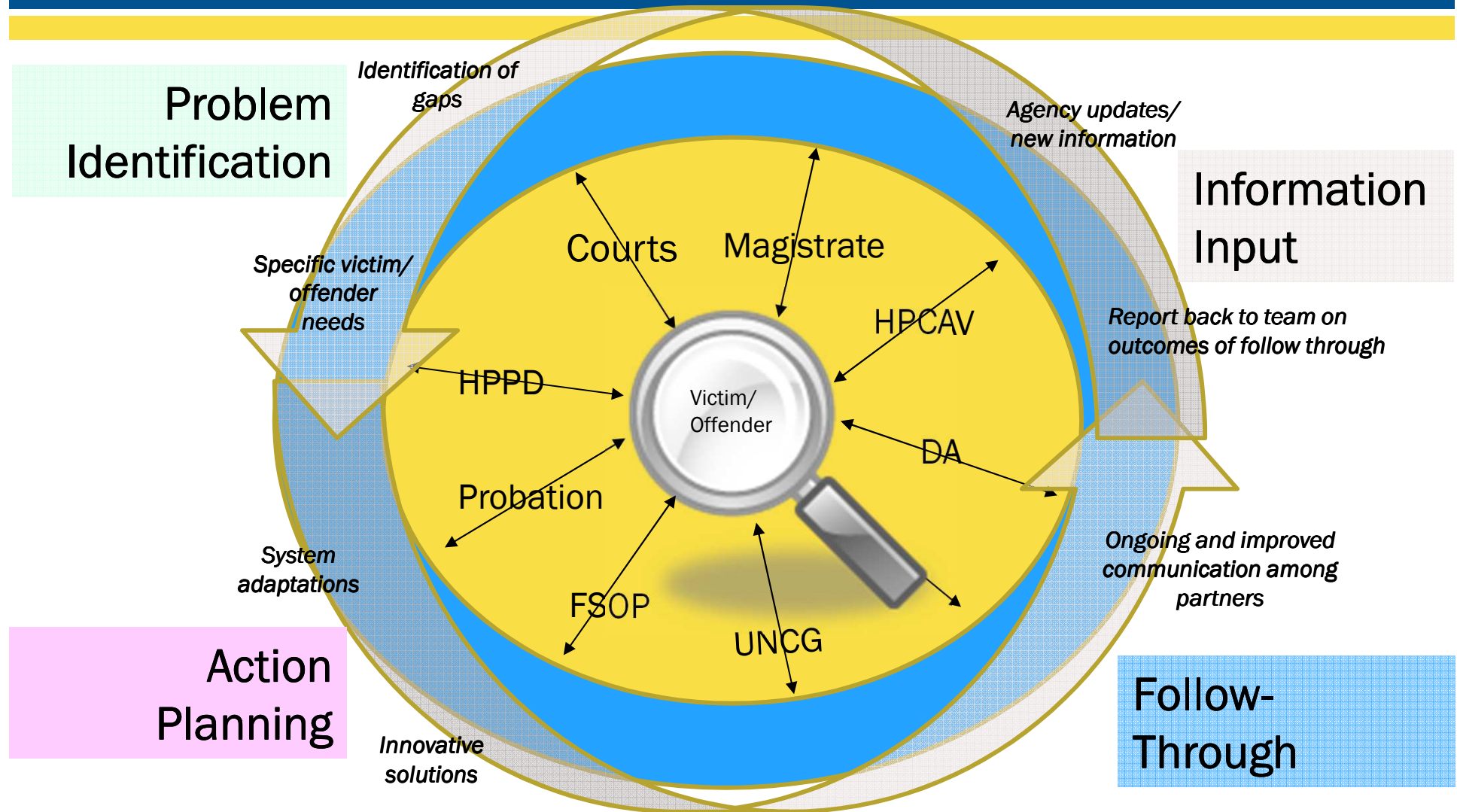
# So What's the Story?

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

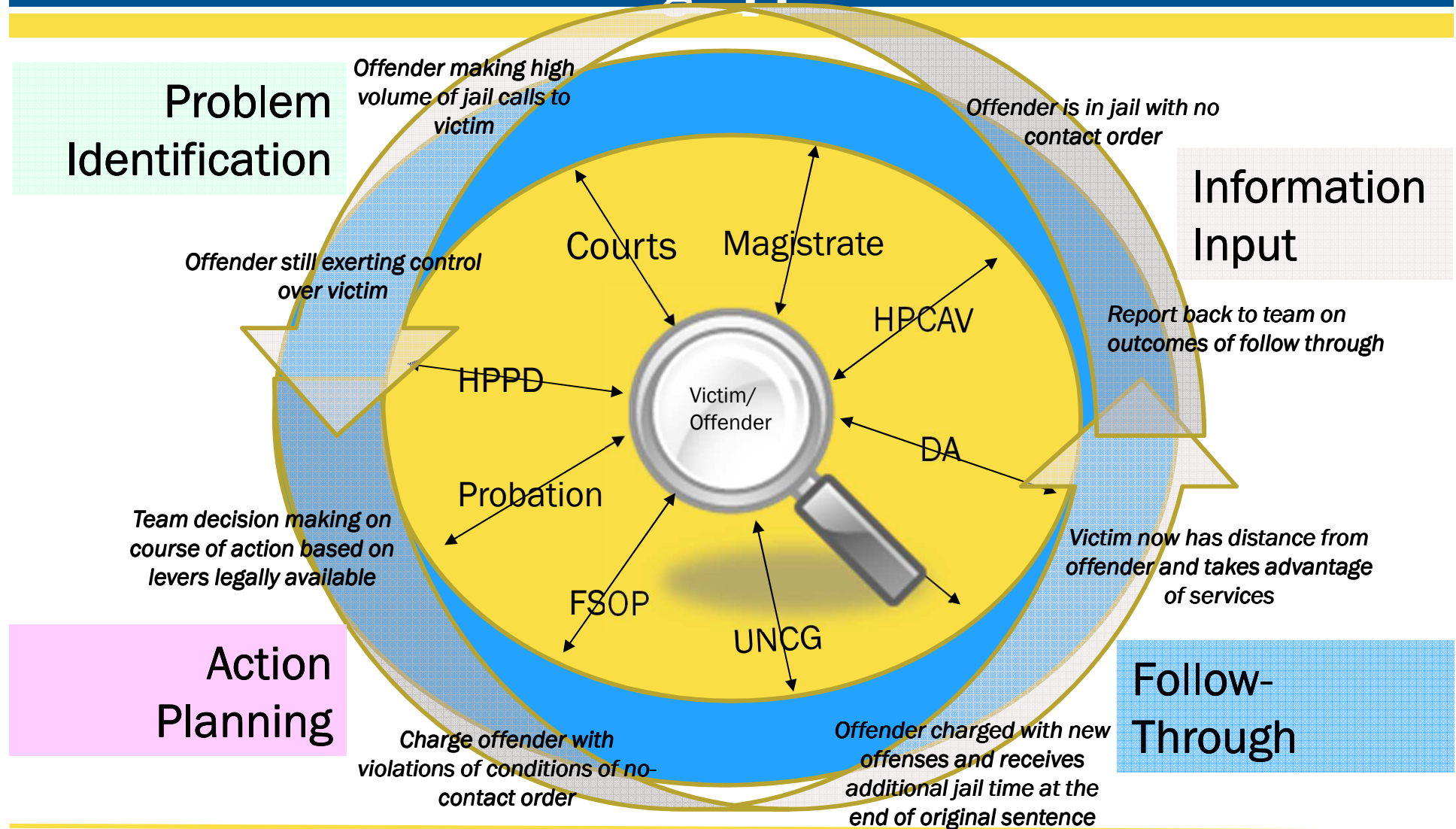
# Implications & Next Steps



# OFDVI Team Problem Solving Approach



# Real World Example of Problem Solving Approach in Action



# What We Know

*When the right people from the right agencies:*

- ∞ utilize data,
- ∞ communicate regularly in a structured /purposeful meeting,
- ∞ exchange information about offenders, victims, and systems,
- ∞ value input from partners,
- ∞ work together to create more effective systems /identify and fix existing system gaps,
- ∞ and focus collective efforts to communicate expectations, rules, and consequences for specific types of behavior

*...real and meaningful changes can happen.*

*It's happening every day in High Point, NC  
with the OFDVI Initiative.*

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# What's Next?

## ∞ COPS grant awarded

- Replication to a new site (Lexington, NC)
- Model policy
- Full evaluation

## ∞ Continue to problem solve and address system issues

- Continuous quality improvement

## ∞ Community foundation grant for Family Justice Center

- Victim advocate
  - Civil attorney for victim
  - Prosecutor dedicated to DV cases
  - Co-located with Child Trauma services
-

# Contact Information

❖ Chief Marty Sumner & Captain Timothy Ellenberger

[marty.sumner@highpointnc.gov](mailto:marty.sumner@highpointnc.gov)

[tim.ellenberger@highpointnc.gov](mailto:tim.ellenberger@highpointnc.gov)

❖ Dr. Stacy Sechrist & John Weil

[tlshelto@uncg.edu](mailto:tlshelto@uncg.edu)

[smsechri@uncg.edu](mailto:smsechri@uncg.edu)

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North Carolina Network for Safe Communities Website: [ncnsc.uncg.edu](http://ncnsc.uncg.edu)

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