Offender Focused Domestic Violence Initiative in High Point, NC: Application of the Focused Deterrence Strategy to Combat Domestic Violence
Panelists
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Pace University

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John Jay College of Criminal Justice

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High Point Police Department

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Office of Research and Economic Development/North Carolina Network of Safe Communities
University of North Carolina at Greensboro
### Criminal History by Age of Defendant
Massachusetts Restraining Order Cases
September 1992 to March 1993

**Percentage with Offense**

<table>
<thead>
<tr>
<th>Offense*</th>
<th>16-20</th>
<th>21-25</th>
<th>26-30</th>
<th>31-35</th>
<th>36-40</th>
<th>&gt;40</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violent crime</td>
<td>41.7</td>
<td>48.8</td>
<td>52.4</td>
<td>50.9</td>
<td>49.4</td>
<td>41.4</td>
<td>48.1</td>
</tr>
<tr>
<td>Property</td>
<td>47.5</td>
<td>49.2</td>
<td>48.9</td>
<td>47.2</td>
<td>44.7</td>
<td>30.3</td>
<td>44.4</td>
</tr>
<tr>
<td>Controlled substance</td>
<td>13.6</td>
<td>23.7</td>
<td>27.5</td>
<td>27.5</td>
<td>24.4</td>
<td>11.4</td>
<td>22.2</td>
</tr>
<tr>
<td>Driving while intoxicated</td>
<td>2.9</td>
<td>14.2</td>
<td>27.5</td>
<td>32.7</td>
<td>33.8</td>
<td>26.0</td>
<td>24.9</td>
</tr>
<tr>
<td>Criminal motor vehicle</td>
<td>27.1</td>
<td>50.9</td>
<td>54.5</td>
<td>51.6</td>
<td>46.8</td>
<td>35.1</td>
<td>46.4</td>
</tr>
<tr>
<td>Other offense</td>
<td>38.8</td>
<td>50.9</td>
<td>51.7</td>
<td>50.1</td>
<td>47.8</td>
<td>37.8</td>
<td>47.1</td>
</tr>
<tr>
<td>Any prior criminal record</td>
<td>69.0</td>
<td>79.1</td>
<td>79.6</td>
<td>76.9</td>
<td>75.5</td>
<td>65.4</td>
<td>74.8</td>
</tr>
</tbody>
</table>

*Defendant has a record of arraignment or conviction for this offense.*

Criminal History of Massachusetts Domestic Homicide Offenders

Table 1. Overall Criminal History  

<table>
<thead>
<tr>
<th></th>
<th>Number</th>
<th>% of All Perpetrators</th>
<th>% of Perpetrators with Any Criminal History</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any Prior Criminal History</td>
<td>126</td>
<td>73.7</td>
<td>-</td>
</tr>
<tr>
<td>Any Prior Violent Crime</td>
<td>90</td>
<td>52.6</td>
<td>71.4</td>
</tr>
<tr>
<td>Prior Nonviolent History</td>
<td>36</td>
<td>21.1</td>
<td>28.6</td>
</tr>
</tbody>
</table>

Source: Langford et al, “Criminal and restraining order histories of intimate partner-related homicide offenders in Massachusetts.”
### Criminal History of Massachusetts Domestic Homicide Offenders

#### Table 2. Specific Violent Offenses

<table>
<thead>
<tr>
<th>Offense</th>
<th>Among All Perpetrators</th>
<th>Among Violent Perpetrators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any violent crime with a weapon</td>
<td>56 (32.7%)</td>
<td>62 (62.2%)</td>
</tr>
<tr>
<td>Assault without a weapon</td>
<td>67 (39.2%)</td>
<td>74 (74.4%)</td>
</tr>
<tr>
<td>Assault with a weapon</td>
<td>55 (32.2%)</td>
<td>61 (61.1%)</td>
</tr>
<tr>
<td>Threat</td>
<td>22 (12.9%)</td>
<td>24 (24.4%)</td>
</tr>
<tr>
<td>Sex offense</td>
<td>10 (5.9%)</td>
<td>11 (11.1%)</td>
</tr>
<tr>
<td>Kidnapping</td>
<td>6 (3.5%)</td>
<td>7 (7.7%)</td>
</tr>
<tr>
<td>Child abuse</td>
<td>6 (3.5%)</td>
<td>7 (7.7%)</td>
</tr>
<tr>
<td>Child neglect</td>
<td>3 (1.8%)</td>
<td>4 (4.4%)</td>
</tr>
<tr>
<td>Murder/manslaughter</td>
<td>3 (1.8%)</td>
<td>3 (3.3%)</td>
</tr>
<tr>
<td>Stalking</td>
<td>1 (0.6%)</td>
<td>1 (1.1%)</td>
</tr>
</tbody>
</table>

Source: Langford et al, “Criminal and restraining order histories of intimate partner-related homicide offenders in Massachusetts.”
### Proportion of Male Batterers who Have Histories of Other Antisocial Behaviors

<table>
<thead>
<tr>
<th>Study</th>
<th>Antisocial Behavior</th>
<th>Proportion (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Faulk 1974</td>
<td>Previous criminal assault</td>
<td>12</td>
</tr>
<tr>
<td>Flynn 1977</td>
<td>Nonfamily criminal assault</td>
<td>33</td>
</tr>
<tr>
<td>Gayford 1975</td>
<td>Previously incarcerated (one-third of above for violent offenses)</td>
<td>50</td>
</tr>
<tr>
<td>Stacey and Shupe 1983</td>
<td>Arrest record (one-third of above for violent offenses)</td>
<td>80</td>
</tr>
<tr>
<td>Walker 1979</td>
<td>Previous arrest</td>
<td>71</td>
</tr>
<tr>
<td>Roundsaville 1978</td>
<td>Arrest record</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Previous incarceration</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Nonfamily violence</td>
<td>51</td>
</tr>
<tr>
<td>Fagan, Stewart, and Hansen 1983</td>
<td>Previous arrests for other violence</td>
<td>46</td>
</tr>
<tr>
<td>Browne 1984 (batterers who were killed by their wives)</td>
<td>Previous arrest</td>
<td>92</td>
</tr>
</tbody>
</table>

Source: Hotaling, “Intrafamily Violence and Violence Outside the Family”
The domestic offenders [studied in Lowell, MA] were just as likely as the non-domestic offenders to have committed non-domestic offenses in the five years prior (46 percent of each group had been arraigned for non-domestic offenses). Additionally, the two groups had statistically equal proportions of high-rate offenders.” Solomon and Thomson, 1997

Lethal and nonlethal domestic shootings in Boston: 40% committed by known gang members. Braga, forthcoming

Women living in public housing report annual domestic violence incidence rates of from 19% to 35% percent; general population studies report lifetime rates of 1.5 percent to 16 percent. Rhagavan et al., 2006
Not all domestic offenders, including seriously violent domestic offenders, are known to law enforcement.

There is a class of seriously violent domestic offenders, disproportionately involved with the most vulnerable class of victims, who are known to law enforcement.

This class of offenders may be vulnerable to focused deterrence approaches.
GOALS FOR OFFENDER-FOCUSED DV INTERVENTION

- Protect most vulnerable women from most dangerous abusers
- Take burden of addressing abusers from women and move it to state
- 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
• “A group,” addressed by any legal means available
• “B group,” notified by authorities of vulnerabilities and circumstances for promotion to “A group”
  • More levels?
• Maximum possible insight into offending, from victims and from others
• Framing of intervention as from community and state
• Safety planning and support for victims
Evolution of OFDVI Strategy
By 2009, gun, gang, drug related violence decreased; 1/3 of our remaining homicides were DV related including two murder/suicides.


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.
Long-term Violent Crime Index in High Point

High Point Indexed Violent Crime: Per 100,000

VCTF
Formed

DMI

GANG

DVIP

Violent Crime
Population

+41%

-63%
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
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
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
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
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.
### Criteria For Levels

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

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

### Types of Notification

<table>
<thead>
<tr>
<th>D List</th>
<th>C List</th>
<th>B List</th>
<th>A List</th>
</tr>
</thead>
<tbody>
<tr>
<td>Receives letter from Police putting him on official notice his name is added to the watch list</td>
<td>Face-to-face deterrent message from Violent Crime Detective At the time of arrest, before pretrial release, probation visit or follow up visit by Detective</td>
<td>Law enforcement and community message face-to-face Offenders called to a notification perhaps quarterly or more frequent</td>
<td>At time of arrest or indictment</td>
</tr>
<tr>
<td>D List</td>
<td>C List</td>
<td>B List</td>
<td>A List</td>
</tr>
<tr>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>Victim receives letter of services offered and explanation of the incremental approach to prohibited acts</td>
<td>Victim receives letter of services, Direct contact with Safety Planner, Follow with Detective</td>
<td>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)</td>
<td></td>
</tr>
</tbody>
</table>
Logic Model

1st Offense

Offenders Identified & Evaluated

2nd Offense

D List

3rd Offense

B List

A List
Attempted contacts with victims
Victim input still matters; process would be adapted if she indicated an issue
Implementation
Track DVIP calls separate
  o Gives a true number of calls
  o Create new call classification if necessary

Identify aggressors from calls (Field Contact Sheets)
  o Identify early, before arrest (D letter)

Recognize there are 4 categories (levels) of offenders
  o Allows for incremental notifications/sanctions
  o Based on arrest records
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
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
Dear [Victim’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 in the police department about your incident or about further action you can contact Detective Thompson at 336-887-7864. Your call will be treated is 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. 3333. 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. Officer who believes 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,

[Officer’s Name]

[Signature]

NOTICE TO VICTIM

(Date of Letter)

[High Point Police Department]

[Address]

[Phone Number]

[Officer’s Name]

[Signature]

[Family Service of the Piedmont]

[Address]

[Phone Number]
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
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.”
Operational Phases of the OFDVI Strategy

- 01/30/11: Research Completed
- 08/24/11: DVIP Call Created
- 02/21/12: 1st B List Call-in
- 04/01/12: All Levels Implemented
- 07/31/12: 2nd Call-in
- 04/09/13: 3rd Call-in

Timeline
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

- 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 & DV-related arrests

- 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

- How many DV offenders recidivate after first arrest?
- Can the violence be stopped early?

Lowest recidivism rate (11%) since 2004 & significantly lower than year 2011

Reclassification of IP calls for service: Sept. 2011
B-list notification began: Feb. 2012
C & D-list notification began: Apr. 2012
As of May 2013, only 7% of offenders across notification lists have reoffended ($n = 834$)
2012 study

~7% of offenders notified through the OFDVI strategy have reoffended with a DV arrest... without additional costs associated with more traditional offender treatment options

<table>
<thead>
<tr>
<th>Any Domestic Violence Offense:</th>
<th>Missd</th>
<th>Felony</th>
<th>Felony</th>
</tr>
</thead>
<tbody>
<tr>
<td>Study Group:</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>Fines/proscriptions only:</td>
<td>24</td>
<td>4</td>
<td>26</td>
</tr>
<tr>
<td>Treatment:</td>
<td>19</td>
<td>2</td>
<td>21</td>
</tr>
<tr>
<td>Anger management:</td>
<td>28</td>
<td>5</td>
<td>29</td>
</tr>
<tr>
<td>Domestic violence</td>
<td>10</td>
<td>3</td>
<td>12</td>
</tr>
<tr>
<td>Victim-oriented</td>
<td>13</td>
<td>2</td>
<td>14</td>
</tr>
<tr>
<td>Probation:</td>
<td>51</td>
<td>17</td>
<td>55</td>
</tr>
<tr>
<td>Jail:</td>
<td>17</td>
<td>3</td>
<td>18</td>
</tr>
<tr>
<td>Any treatment &amp; probation:</td>
<td>43</td>
<td>11</td>
<td>47</td>
</tr>
<tr>
<td>Any treatment &amp; jail:</td>
<td>39</td>
<td>11</td>
<td>42</td>
</tr>
<tr>
<td>Jail &amp; probation:</td>
<td>36</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td>Jail, probation, and any treatment:</td>
<td>44</td>
<td>14</td>
<td>47</td>
</tr>
<tr>
<td>All study groups: (n = 14,113)</td>
<td>44</td>
<td>14</td>
<td>47</td>
</tr>
<tr>
<td>All sentenced DV offenders: (n = 27,216)</td>
<td>41</td>
<td>12</td>
<td>45</td>
</tr>
</tbody>
</table>
There is no significant change over time in the percentage of all DV arrests in which injuries were reported (39-46%).

Note: Q3 = Oct.-Dec. for this data.

Need to examine the trend for overall DV arrests to predict what may happen over time in terms of victim injuries.
Over time, if DV arrests continue to decline, injuries to victims will also decline (assuming that injuries will be reported in approximately 40% of all DV arrests).
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

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

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)
Calls for Service:
DVIP coded calls have decreased significantly over time since strategy implementation

Note: repeat calls to the same address are occurring, but are stopping short of actual violence
What is the effect on law enforcement resources?

DV Arrests Ramped Up Significantly Leading up to Implementation and Have Since Decreased Over Time

Begs the question: Is the increase in arrests post-implementation due to single offenders picking up more charges per DV incident after strategy implementation?
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.

Changes in arrest #s are not associated with single offenders picking up multiple charges on the same date/incident of DV offense.
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
OFTDVI Team Problem Solving Approach

Problem Identification
- Identification of gaps
- Specific victim/offender needs
- System adaptations

Information Input
- Agency updates/new information
- Report back to team on outcomes of follow through

Action Planning
- Innovative solutions

Follow-Through
- Ongoing and improved communication among partners

Diagram includes various entities such as Courts, Magistrate, HPPD, HPCAV, Probation, FSOP, DA, UNCG, Victim/Offender, and Probation Magistrate Courts Victim/Offender System System System System adaptations adaptations adaptations adaptations Innovative Innovative Innovative Innovative updates/ Agency updates/ Agency updates/ Agency updates/ new information new information new information new information
Real World Example of Problem Solving Approach in Action

Problem Identification
- Offender making high volume of jail calls to victim
- Offender still exerting control over victim
- Team decision making on course of action based on levers legally available

Information Input
- Offender is in jail with no contact order
- Report back to team on outcomes of follow through
- Victim now has distance from offender and takes advantage of services

Action Planning
- Charge offender with violations of conditions of no-contact order
- Victim/Offender

Follow-Through
- Offender charged with new offenses and receives additional jail time at the end of original sentence
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.
What’s Next?

- COPS grant awarded
  - Replication to a new site
  - 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

- Susan Herman
  sherman2@pace.edu

- David Kennedy
  dakenney@ijay.cuny.edu
  National Network for Safe Communities Website: http://www.nnscommunities.org

- Chief Marty Sumner & Captain Timothy Ellenberger
  marty.sumner@highpointnc.gov   tim.ellenberger@highpointnc.gov

- Dr. Terri Shelton, Dr. Stacy Sechrist, & John Weil
  tlshelto@uncg.edu   smsechri@uncg.edu   jdweil@uncg.edu
  North Carolina Network for Safe Communities Website: ncnsc.uncg.edu

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