Offender Focused Domestic Violence Initiative in High Point, NC: Application of the Focused Deterrence Strategy to Combat Domestic Violence
Panelists
Chief Marty Sumner  
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
Evolution of OFDVI Strategy
Demographics of High Point

- 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

Source 2010 Census
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
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%
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
“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.
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.
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
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.
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 loose 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
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.
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)

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

\(^1\)Only includes through June 14, 2010. In 2010, the total number of offenders arrested was 5,753 individuals.
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
### 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 related offense</td>
<td>1st charge for DV related offense</td>
<td>2nd charge of DV related offense or Violation of prohibited behavior for which offender received notice as C list offender (violating pretrial conditions, contacting victim, etc.)</td>
<td>3rd 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 notice as C list offender (violating pretrial conditions, contacting victim, etc.)</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></td>
<td>Violation of 50B protective order</td>
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<tr>
<td>Officer believes the potential exists for violence</td>
<td></td>
<td></td>
<td>Used weapon in DV</td>
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<tr>
<td>Validated intimate partner relationship</td>
<td></td>
<td></td>
<td>Convicted felon</td>
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</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</td>
<td>Law enforcement and community message face-to-face</td>
<td>At time of arrest or indictment</td>
</tr>
<tr>
<td>Delivered by a trained patrol officer during a follow up visit within 48 hours of the call</td>
<td>At the time of arrest, before pretrial release, probation visit or follow up visit by Detective</td>
<td>Offenders called to a notification perhaps quarterly or more frequent</td>
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<tr>
<td>Ongoing Contact With Victims</td>
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<tr>
<td>-----------------------------</td>
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<tr>
<td><strong>D List</strong></td>
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<tr>
<td>Victim receives letter of services offered and explanation of the incremental approach to prohibited acts</td>
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<td></td>
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<tr>
<td><strong>C List</strong></td>
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<tr>
<td>Victim receives letter of services</td>
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<td>Direct contact with Safety Planner</td>
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<td>Follow with Detective</td>
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<tr>
<td><strong>B List</strong></td>
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<tr>
<td>Victim receives prior notice the offender is being called in.</td>
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<tr>
<td>Message reviewed with her first.</td>
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<tr>
<td>Offer of cocooning</td>
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<tr>
<td>Direct contact Post call-in</td>
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<td>(Dedicated prosecutor, Civil Attorney services, Victim Advocate)</td>
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<tr>
<td><strong>A List</strong></td>
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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

- 01/30/11: Research Completed
- 8/24/11: DVIP Call Created
- 2/21/12: 1st B List Call-in
- 4/01/12: All Levels Implemented
- 7/31/12: 2nd Call-in
- 4/09/13: 3rd Call-in
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
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
B – list face to face notification
  o Formal Call-In
  o Community Moral Voice
  o Custom Legal Notification

Tracking/Response for all levels
  o Swift, certain consequences for re-offenders
OFFENDER FOCUSED DOMESTIC VIOLENCE INITIATIVE

[Date of Letter]

Dear Mr. [Victim],

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. 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 336-889-6162, ext. 3351. The victim services are free to you.

Mr. [Victim’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. [Victim’s Name] has been added to a watch list reviewed daily 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
Violent Crime Unit
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
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.”
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
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 April 2014, only 9% of notified offenders across lists have reoffended ($N = 1024$)
2012 study

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

Full Implementation Apr 2012: There was a spike in DV arrests in 2012 compared to 2011 associated with implementation enforcement. LE Agencies can expect an increase in DV arrests as the strategy ramps up.

However, the subsequent decrease in DV arrests after implementation is apparent in Year 2013 as compared to 2012, \( t(11) = 2.49, p = .30 \).
Full implementation Apr 2012: There was a spike in DV arrests in 2012 compared to 2011 associated with implementation enforcement.

LE Agencies can expect an increase in DV arrests as the strategy ramps up.

However, the subsequent decrease in DV arrests after implementation is apparent in Year 2013 as compared to 2012, \( t(11) = 2.49, p = .30 \), and continued to decrease in Year 2014 as compared to previous years.

Results to date for Year 2014 show a continued decrease in DV arrests as compared to previous years. There has been an average of 83.5 arrests per month YTD in 2014 as compared to the same timeframe (Jan-Apr) of 2012 (\( m = 95 \)) and 2013 (\( m = 94.25 \)).
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.
DV assaults with injuries have decreased significantly since strategy implementation,
\[ t(11) = 5.52, p = 0.0002 \]
The percentage of total DV arrests with reported injuries to the victim has significantly decreased over time; Year 2011 vs 2013. 
\[ x^2(1) = 23.31, p < .0001 \]
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)
What is the effect on law enforcement resources?

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

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

Note: repeat calls to the same address are occurring, but are stopping short of actual violence.
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).

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

**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
- Ongoing and improved communication among partners

**Action Planning**
- Innovative solutions

**Follow-Through**
- Victim/Offender
- Courts
- Magistrate
- HPCAV
- DA
- FSOP
- UNCG
- Probation
- HPPD
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
- Victim now has distance from victim
- Offender is in jail with no contact order
- Report back to team on outcomes of follow through

Action Planning
- Charge offender with violations of conditions of no-contact order
- Offender charged with new offenses and receives additional jail time at the end of original sentence

Follow-Through
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.
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