

# LOUISVILLE METRO DOMESTIC VIOLENCE PREVENTION COORDINATING COUNCIL

## Meeting Summary Thursday, February 1, 2018

**Members Present:** Chief Steve Conrad and Ellie Kerstetter, Co-Chairs, Dr. Linda Bledsoe, Ingrid Geiser, Judge Annette Karem, Marguerite Thomas, Marcia Roth, Kathy Paulin, Chris Owens, Lt. David Allen, Pam Darnall, David Nicholson, and Judge Tara Hagerty.

**Staff and Guests:** Mayor Greg Fischer, Professor Emily Sack, Viviane Van Bogaert, Samantha Graves, Shannon Derrick, Carol Boyle, Joanna Erny, Matt Glowicki and Kim Allen.

### **I. Welcome/Call to Order/Co-Chairs' Report**

Ellie Kerstetter, Co-Chair

The meeting was called to order by Ellie Kerstetter, Co-Chair, who thanked members for attending and welcomed special guest, Mayor Greg Fischer.

### **II. Fatality Review Committee 2015/16 Report**

Mayor Fischer began by thanking members of the DVPCC for their continued efforts to improve the local system response to domestic violence and complimented the council and the Fatality Review Committee on 22 years of operation. He advised that he is eagerly awaiting the findings and recommendations that will be included in the comprehensive community assessment being conducted by Professor Sack. The Mayor expressed pride in the work being done to address homicides in the city and more specifically domestic violence fatalities. He voiced his belief that the efforts of the DVPCC have kept Louisville at the forefront of progressive initiatives like the Lethality Assessment Program. He stressed the importance of using data and analysis to guide our city's efforts in continuous improvement along with efforts to be a peaceful, loving and compassionate city.

The Mayor summarized the city's plan to reduce homicides as focusing on "people and places." He reported that there were a total of 107 homicides in 2017 and that 75% involved guns. Of the 107 homicides, 11 of the deaths met the statutory definition of domestic violence (which is not limited to intimate partners, but includes family members). Of the 11 deaths, seven specifically resulted from incidents involving abuse against an intimate partner. He added that 2018 started in an unusual way with 10 homicides in January and seven of the total were domestic violence-related. The Mayor recalled that Chief Conrad and the CWF recently held a press conference to talk about the domestic violence fatalities in the hopes of encouraging individuals in crisis to seek assistance.

Mayor Fischer is hopeful that the FRC Report will help to educate the community and raise awareness about the lethality risks that victims are facing. He stressed the importance of breaking the stigma associated with mental illness, addiction and domestic violence so that individuals will reach out to community services like the Center for Women and Families

for help with safety planning. In closing, the Mayor expressed appreciation to Kim for her leadership and service as Co-Chair of the Fatality Review Committee.

Following the Mayor's remarks, Ellie called upon Kim to present the 2015/16 Fatality Review Committee Report. Kim began by thanking members of the FRC for their commitment of time and energy to the review process. She noted that over and above the time spent in nine meetings during 2015 and 2016, members spent countless hours performing research and gathering data that is reflected in the biennial report. Kim also expressed appreciation to her Co-Chair Retired Judge Jerry Bowles, who was unable to attend, and to Jamie Allen who transitioned into the staff support role for the FRC at the end of 2016 and has done a masterful job with the latest edition of the report.

Kim reported that the report represents the fourth in a series of biennial reports that analyze data from the multidisciplinary case reviews. She reminded members that the FRC reviews open/pending cases to permit quick intervention rather than wait for final resolution of the case. For the purpose of the review, Kim clarified that the FRC defines "domestic violence fatality" as a death caused directly or indirectly including the intended victim, perpetrator and third parties (such as a person who intervenes, witnesses or bystanders, and secondary victims). The focus is on current/former spouses, intimate partners and couples with a child in common (custodial care is also included if the parties include a current/former spouse). It was noted that LMPD uses the broader, statutory definition that includes family members.

Kim presented a brief overview of the components of the report and identified new items including the updated statistical snapshot and background information on topics relating to the use of firearms, murder/suicide and the Family Review Input Task Group. She noted that including family input has provided the FRC with unique perspectives and insights that have been extremely helpful in understanding the experience of victims.

Before presenting highlights of the data, Kim qualified that the report is based on summary statistics (rather than scientific methodology) and a limited sample size, but provides a descriptive picture of the cases reviewed and what the committee has learned through the process. During CY 2015-2016, the FRC reviewed a total of 16 cases (across all LMPD Divisions), which is consistent with prior reports. Of the 16 cases, seven occurred in 2015 and nine in 2016. Kim noted that aside from the spike in 2014, the FRC has reviewed an average of eight cases each year.

Kim reported that the 16 cases included 11 homicides and five cases involved murder/suicides. The 16 cases resulted in a total of 18 victims—11(69%) resulted from homicides and seven (31%) from murder/suicides. Of the five murder/suicides, two were domestic violence-related, two involved elderly victims, and one was characterized as a "familicide" involving the death of a partner and child.

With regard to the demographics of the victims and offenders, Kim reported that the 18 victims ranged in age from 4-86 years. The victims were predominantly female—16 females (including one child) and two males (including one child). Twelve of the females (67%) were Caucasian and four females (22%) were African-American. The 16 offenders

were male and ranged in age from 17-96 years. The offender race was evenly divided between African-American and Caucasian.

As in previous reports, Kim advised that the overall data continues to echo national and state findings on a number of measures such as sex of the victim, fatalities committed by current/former spouses or partners, incidents occurring in the home or shared residence, and incidents occurring at night, etc. It was noted that the fatalities occurred in locations across the entire community; 12 (75%) occurred in the home or shared residence; and 10 (63%) occurred between the hours of 3 p.m. and 12 a.m. Sixty-two percent of the victims were in a relationship with the offender at the time of the homicide, although 50% were contemplating leaving the relationship or had taken steps to do so. Kim emphasized that the time of separation involves an extremely high risk of lethality. Witnesses were present in 10 (63%) cases and children were present in six cases (38%). The age of the children ranged from one to 12 years.

Kim reported that prior criminal history was documented for seven of the 16 offenders and in six cases, the offender had a history of domestic violence in a prior relationship. With regard to offender history, Kim noted that several indicators frequently appeared as contributing factors including mental health/substance abuse, the present of lethality factors, owning a gun, and controlling behavior.

As in previous reports, Kim indicated that a significant number of lethality factors were present in the FRC cases and the top two included access to a gun and controlling behavior. Kim identified the following two key findings from the report: 1) 13 cases (81%) involved use of a firearm and 2) there was no system contact in 11 of the cases (69%) despite multiple lethality factors. It was noted that use of a firearm has continually increased across the four FRC reports from 3 cases (21%) in the 09/10 report to 13 cases (81%) in the current report. While the average number of system contacts is consistent with the previous report, there has been an overall decline from 2009/10 when there was an average of 6.4 contacts; the average for the current report is 2.9 contacts.

As context for the findings, Kim recalled that the DVPCC contracted for a community survey that was sponsored by Chief Conrad. The survey was conducted by Dr. Keeling and Dr. Bledsoe and the results were reported in 2016. The telephone survey totaled over 2,400 completed interviews to assess perceptions toward domestic violence and knowledge of available resources for victims. In response to questions about victim resources, 48.8% of respondents reported being aware of resources (84% were aware of the emergency shelter) and the largest percentage identified television as the primary source of information. The final report included a recommendation to raise awareness about the lesser known resources. Most respondents also indicated that they would contact a family member (81%) or friend (72.2%) and 72.1% would contact a police officer, which is consistent with national and local findings. Kim emphasized the importance of redoubling efforts to raise awareness about the lethality factors and safety planning.

Kim noted that over the years, the FRC recommendations have typically focused on system processes (information sharing, changes in forms, policy or practice and legislation); stakeholder education and training; efforts to raise public awareness; and in some cases, issues have been referred to other groups such as the Child Fatality Review Committee and

the Elder Abuse Services Coordinating Committee. Kim briefly highlights a few of the FRC recommendations relating to review of cases involving juveniles and seeking avenues to identify, assess and refer youth who have experienced or witnessed domestic violence (Louisville Metro Youth Detention Services and the Juvenile Justice Advisory Council have been asked to take the lead in starting the discussion and to coordinate with Community Shield and the Trauma-Informed Project); staff training for the Domestic Violence Intake Center; implementation of the Ontario Domestic Assault Risk Assessment; public awareness; and access to firearms.

Kim added that the data clearly underscores the importance of reducing access to firearms in households impacted by domestic violence. She noted that guns are used not only in fatalities, but to intimidate. Research by Sorenson (2017) in Philadelphia found that in the presence of guns, women are more likely to back down than fight back and be less willing to leave or end the relationship; in this manner, firearms are used to inflict coercive control and increase fear. It is therefore important to ensure that victims have information about their options and resources and that questions be asked about access to firearms by law enforcement, the courts, service providers and healthcare representatives.

Kim noted that the Jefferson County Sheriff's Office launched its Gun Surrender Program in 1997 and the program has resulted in the surrender of a significant number of firearms. Moving forward, the FRC plans to revisit issues related to use of firearms and will likely focus on renewed stakeholder education as well as exploring avenues to increase offender accountability. Kim cited 2015 data from a report issued by the Violence Policy Center (2017) which indicated that Kentucky has moved from 11<sup>th</sup> to 8<sup>th</sup> in the nation on the number of homicides involving a single female and single male. Kim added that challenges remain with regard to firearms since surrender programs are based upon self-report and the weapons are returned to the offender when the order expires.

Marcia expressed appreciation to Kim and Jamie for their work on the report and recommended that the DVPCC institute a regular procedure for reviewing the status of the FRC recommendations at every meeting. Ellie agreed and suggested that an action plan be developed. David Nicholson concurred and suggested that the report and recommendations be viewed as a living document.

### **III. DVPCC Updates**

#### **A. Comprehensive Community Assessment**

Professor Sack expressed appreciation to the Co-Chairs for rescheduling the meeting to coincide with her visit. She summarized that the purpose of the assessment is to conduct a comprehensive evaluation of the current community response to domestic violence, identify gaps, and make recommendations for improvement. She also hopes to document strengths as well as changes and innovations that have occurred since the last assessment. She recalled that her first site visit was held in late October and that she has continued to gather information and meet with stakeholders over the past week.

At the present, Professor Sack indicated that she has 90-95% of the information needed for the assessment. Over the next several weeks, she plans to begin drafting the report and may follow-up with stakeholders to clarify and confirm the accuracy of information. Once

the report is in final form, she will return and present it to the members of the DVPCC. She suggested that it is better to have too much information and encouraged members to contact her at [esack@rwu.edu](mailto:esack@rwu.edu) if there is anything she might have missed or someone she should contact. She reiterated that she wants individuals to be candid and that the information provided is confidential; she will not identify individuals or agencies in the report.

### **B. Lethality Assessment Program**

Before receiving the LAP update, Ellie asked members to review the summary from the last DVPCC meeting included in the agenda packet. Hearing no changes or additions, the summary was approved as drafted. She also asked members and guests to introduce themselves.

Lt. Allen reported that the LAP Program has been in operation slightly over five years and recently completed a total of 12,000 interviews. He expressed his appreciation to the secretary in his unit that enters the information into a spreadsheet and the CWF for their assistance on the receiving end. A total of 147 screens were conducted in January 2018 and there was an average of 155 screens during the last quarter. He reported that the overall number of victims screened as high-risk has remained the same. It was noted that despite the high number of domestic violence-related homicides in January 2018, the overall number of cases has been declining. The total number of cases for 2017 was down by 100 cases from 2016. The typical number of cases/year has ranged from 4,500 to 4,600.

Marguerite reported that the officers are getting the work done and that as a result of the program, the CWF has developed a positive working relationship with LMPD. Marcia voiced her belief that the number of domestic fatalities would have been higher if not for the LAP Program.

### **C. Legislative Report**

Jamie reported that as in years past, the Criminal Justice Commission is tracking criminal justice-related bills and called attention to the tracker included in the agenda packet. The tracker is emailed to interested stakeholders every Friday. She advised that the 2018 session opened on January 2<sup>nd</sup>, is a long session that will conclude on April 13<sup>th</sup>, and will address significant issues involving the state budget and pension reform. The last day to file a new bill is February 16<sup>th</sup>; February 27<sup>th</sup> is the last day for new House bills; and March 1<sup>st</sup> is the last day for new Senate bills. Thus far, there have been 115 Senate bills and 266 House bills filed. Jamie highlighted several bills of interest including SB 3, known as Marsy's Law; SB 68, known as Jeanette's Law; SB 109 pertaining to digital penetration; and HB 101, known as Jenna's Law.

### **IV. Adjourn/Next Meeting**

With no further business to discuss, the meeting was adjourned. The next regularly scheduled meeting of the DVPCC will be held on Thursday, April 26, 2018.