

Domestic Violence Fatalities in Washington State

HONORING VICTIMS' LIVES | PUTTING LEARNING INTO ACTION

WASHINGTON STATE COALITION

WSCADV

AGAINST DOMESTIC VIOLENCE

June 2016

Washington State Domestic Violence Fatality Review

by Jake Fawcett for the Washington State Coalition Against Domestic Violence
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Domestic Violence Fatalities in Washington State

Domestic Violence Fatalities in Washington State

What is a domestic violence fatality?

The purpose of the domestic violence fatality review is to examine the circumstances of homicides and suicides that happen in the context of intimate partner violence.

The Washington State Domestic Violence Fatality Review defines a domestic violence fatality as any homicide by the victim’s intimate partner, homicides that are an extension of an abuser’s attempts to control a victim, abuser’s suicide deaths in the context of intimate partner violence, and abusers killed by law enforcement officers or others responding to domestic violence.

This definition is both broader and narrower than the definition of a domestic violence homicide used by law enforcement agencies. It is broader in that it takes into account that abusers sometimes kill non-family members in the context of intimate partner abuse. It is narrower in that the DVFR excludes homicides in which the victim and perpetrator were family members, but the homicide was not related to intimate partner violence.

Generally, these are included in the fatality review:	Generally, these are not included:
<ul style="list-style-type: none">• Homicides and murder-suicides by any current or former intimate partner.• Friends, family, new partners, or police officers killed by abusers in the context of intimate partner abuse.• Children killed by abusers in the context of intimate partner abuse (e.g. in retaliation for the victim leaving the relationship).• Abusers killed by victims in self-defense.• Abusers killed by victim’s friend or family or bystander intervening.• Abusers killed by law enforcement responding to domestic violence.	<ul style="list-style-type: none">• An abuser’s suicide death following a homicide attempt or assault against their intimate partner.• Homicides of family or household members not related to intimate partner violence. (e.g. roommates, siblings, parents)• Child abuse homicides.• Suicide deaths of domestic violence victims.• Unsolved or suspicious deaths of a victim of domestic violence, if the death has not been ruled a homicide. This includes deaths classified as suicide, accidents or natural death.• Unsolved homicides, if law enforcement has not identified the suspect as an intimate partner

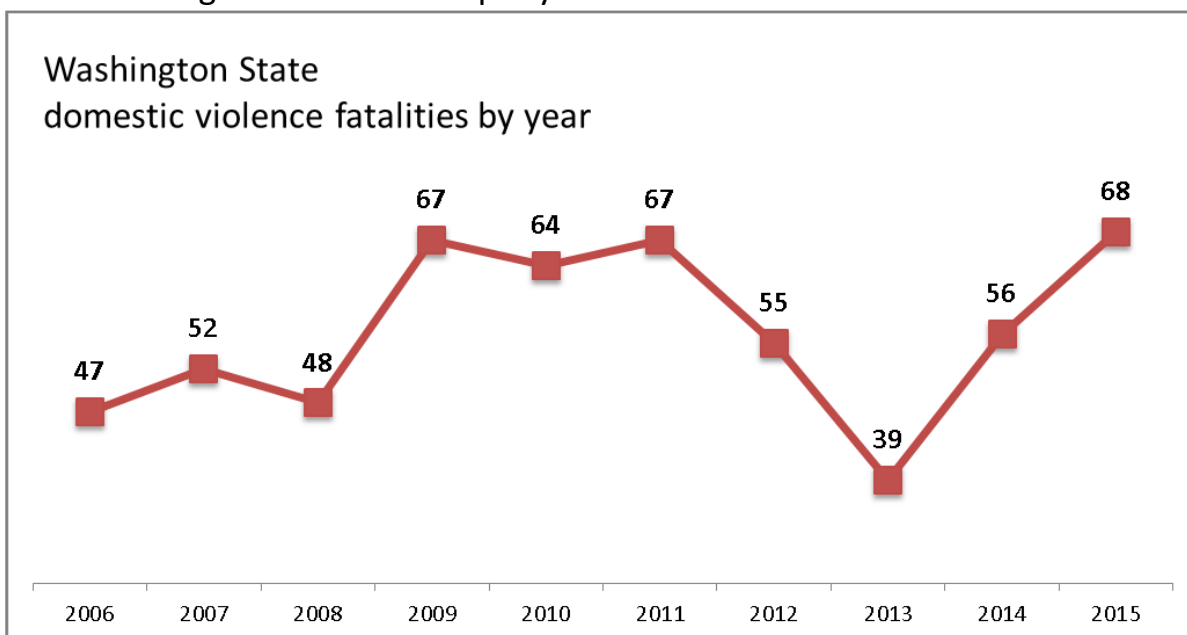
Washington State domestic violence fatalities by county

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	totals
Adams											0
Asotin					3						3
Benton	4	1						1	1	4	11
Chelan	2		1			3		2		4	12
Clallam			5		2		1		1		9
Clark		3	1	2	2	10	3	2	5	3	31
Columbia	1						1				2
Cowlitz	2		1			2			1	2	8
Douglas			1			1					2
Ferry	1			3							4
Franklin	1		1		2			2	2	2	10
Garfield											0
Grant			1	2		1	2		1		7
Grays Harbor	3		1			1	3				8
Island							1				1
Jefferson					2					1	3
King	7	15	14	16	21	10	14	13	13	4	127
Kitsap			2		1	2			2	4	11
Kittitas											0
Klickitat		2		1							3
Lewis		1		2		3		1			7
Lincoln											0
Mason	1						3			4	8
Okanogan				1		2			1		4
Pacific				1			3			1	5
Pend Oreille	1						1				2
Pierce	12	12	6	14	11	14	9	3	13	13	107
San Juan				1							1
Skagit		1	1		1		1	2			6
Skamania				1							1
Snohomish	3	8	3	8	3	4	4	3	9	7	52
Spokane	1	3	6	5	4	5	4	6	4	9	47
Stevens	1		1	1							3
Thurston	5	5		1	1	6	2	1	2	2	25
Wahkiakum											0
Walla Walla						1				3	4
Whatcom				2	6	1	1	1	1	2	14
Whitman			1		2						3
Yakima	2	1	2	6	3	1	2	2		3	22
totals by year	47	52	48	67	64	67	55	39	56	68	563

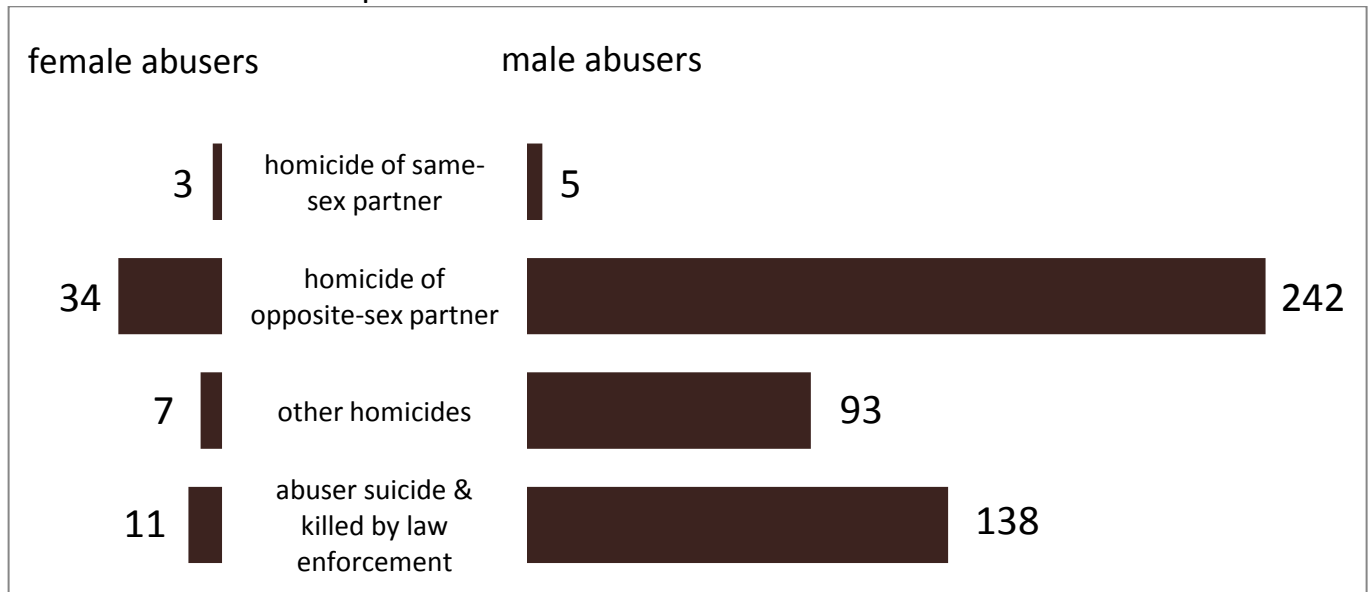
In the ten years between 2006 and 2015, 563 people were killed in Washington as a result of domestic violence.

2006-2015 Washington State domestic violence fatalities	female dv victim; male abuser	male dv victim; female abuser	female dv victim; female abuser	male dv victim; male abuser	totals
dv victims killed by abusers					
dv victim killed by current or former intimate partner	240	34	3	5	282
dependent or vulnerable adult killed by caregiver	1		1	1	3
family, friends and others killed by abusers					
new intimate partner of dv victim	22	3			25
children of dv victim and abuser	28	1		1	30
other family, friends, & bystanders	39	2			41
law enforcement officers	1				1
dv abusers' homicide and suicide deaths					
homicide by dv victim	19				19
homicide by dv victim's friends, family, or bystanders	10				10
killed by police intervention	25		1		26
suicide following dv homicide or assault	113	10	1		124
totals	499	50	6	6	563

Fatalities ranged from 39 to 68 per year.



The most common fatality was female domestic violence victims killed by male abusers. Female abusers perpetrated 12% of homicides of opposite-sex partners and 38% of homicides of same-sex partners.

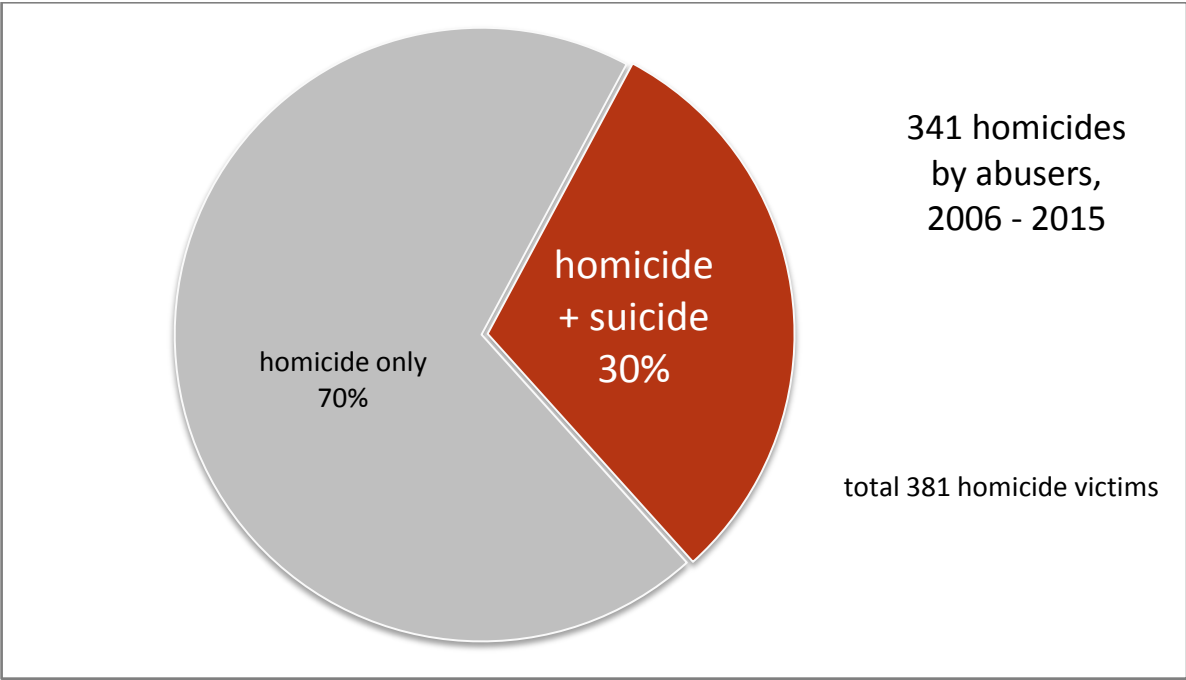


At least 13 deaths in 7 counties involved LGBT domestic violence victims.

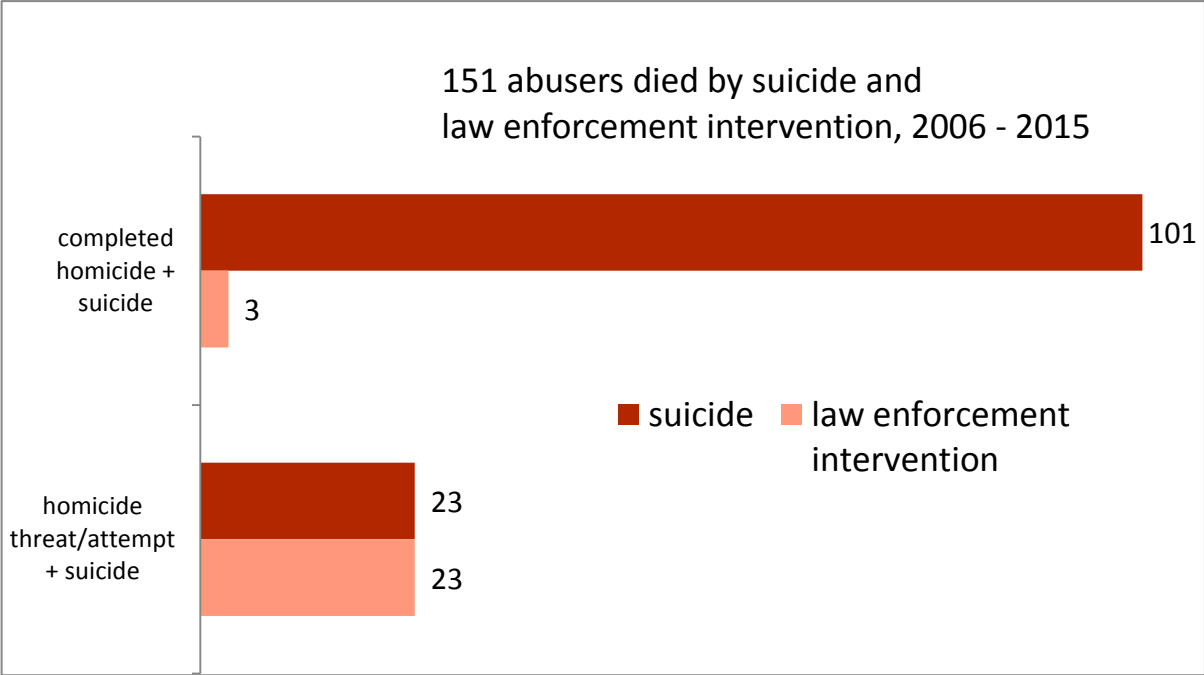


Suicide and deaths by law enforcement intervention

30% of homicides by abusers were followed by the abuser's suicide death.

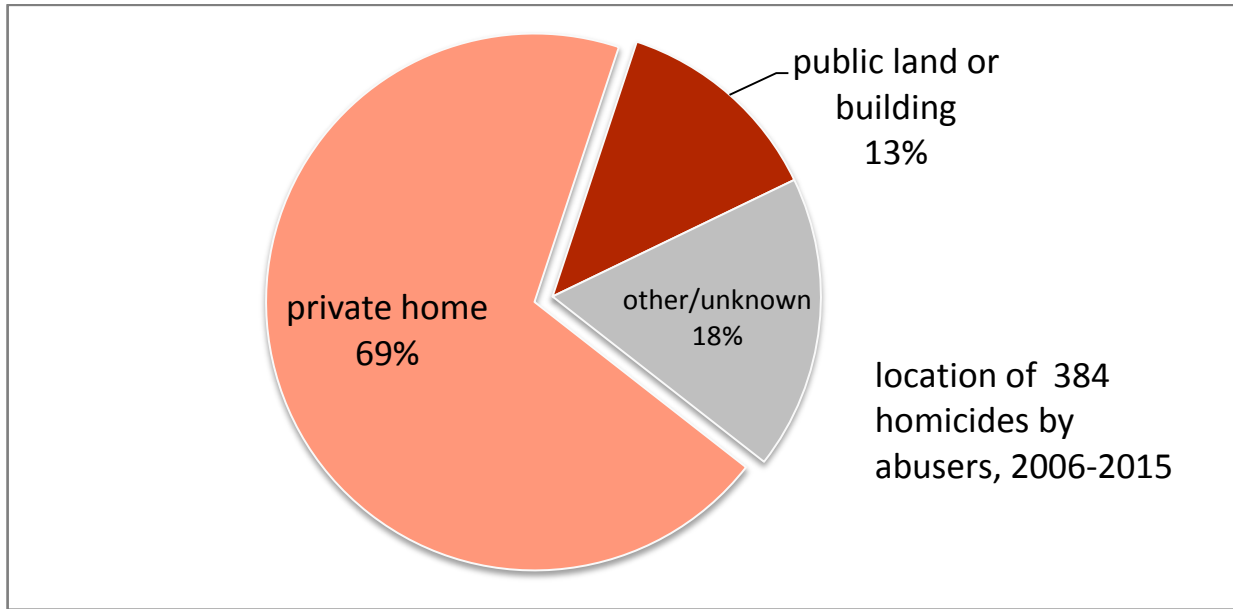


The 104 homicide-suicides by abusers include 3 cases where abusers were killed by law enforcement intervention. In an additional 46 cases, abusers made homicide threats or attempts before suicide or being killed by law enforcement responding to the threat.

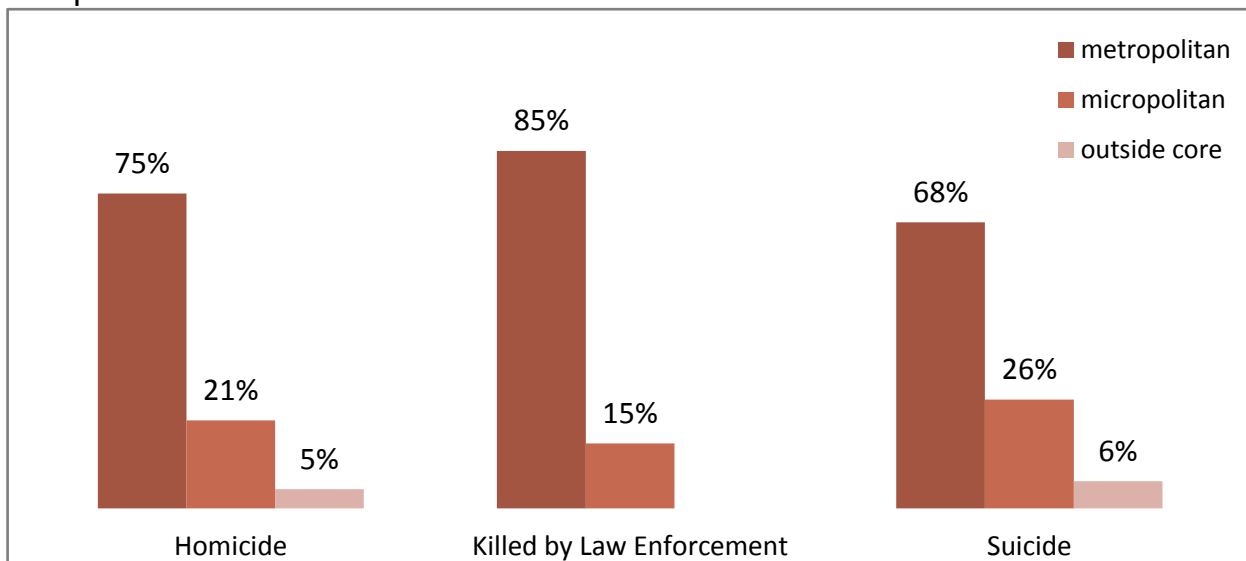


Location of domestic violence fatalities

At least 13% of homicides took place in a public building or on public land, including the victim's workplace or school, a hospital, or on public roadways.



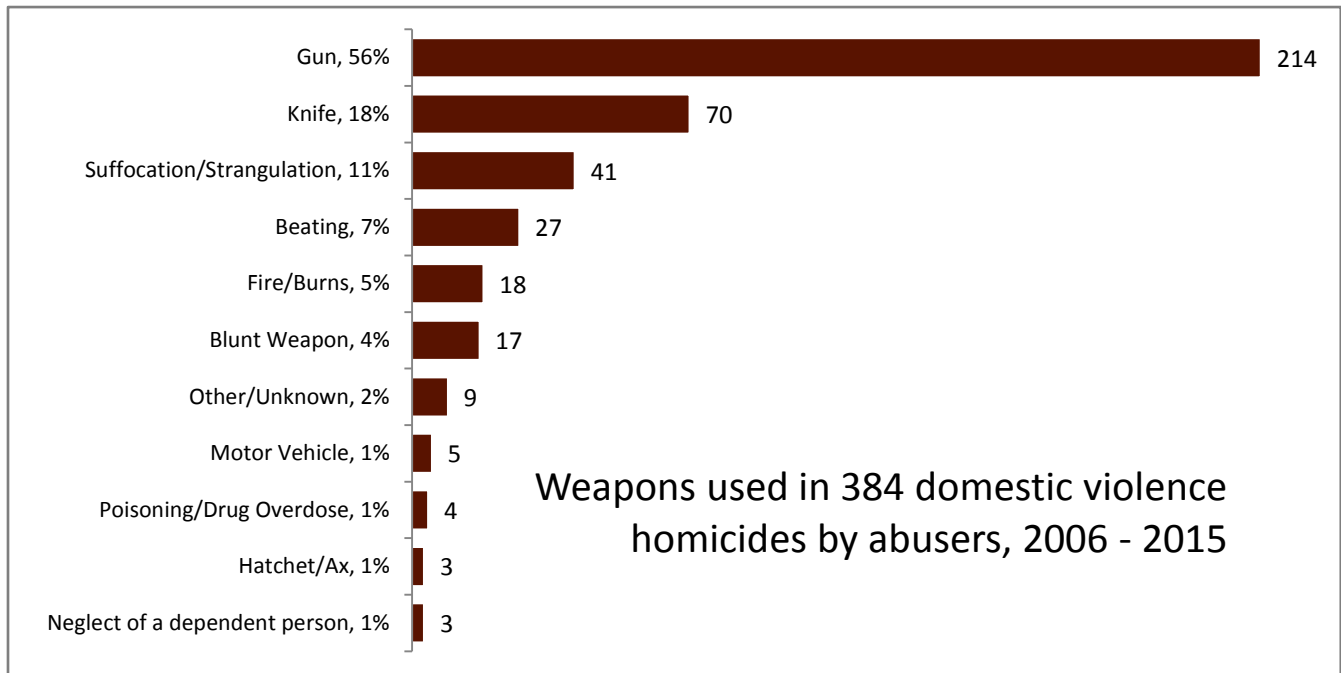
73% of all domestic violence fatalities (and 75% of homicides) occurred in metropolitan counties.¹ By contrast, metropolitan counties saw a lower proportion of abuser suicide deaths, and a higher proportion of abusers killed by law enforcement intervention compared to more rural counties.



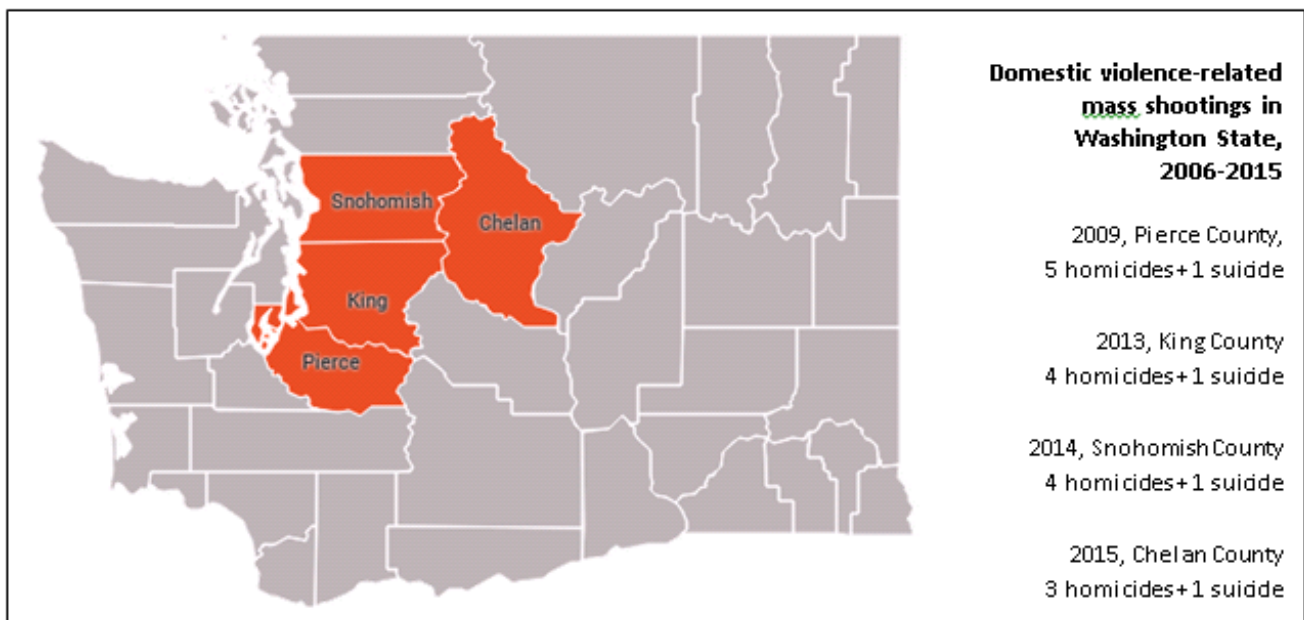
¹ US Office of Management and Budget designates counties and other Census defined areas as being within metropolitan statistical areas, micropolitan statistical areas, or outside core statistical areas. "The general concept of a metropolitan or micropolitan statistical area is that of a core area containing a substantial population nucleus, together with adjacent communities having a high degree of economic and social integration with that core."

Firearms

Perpetrators used firearms in 56% of domestic violence homicides.



At least four mass shootings² were related to intimate partner violence.

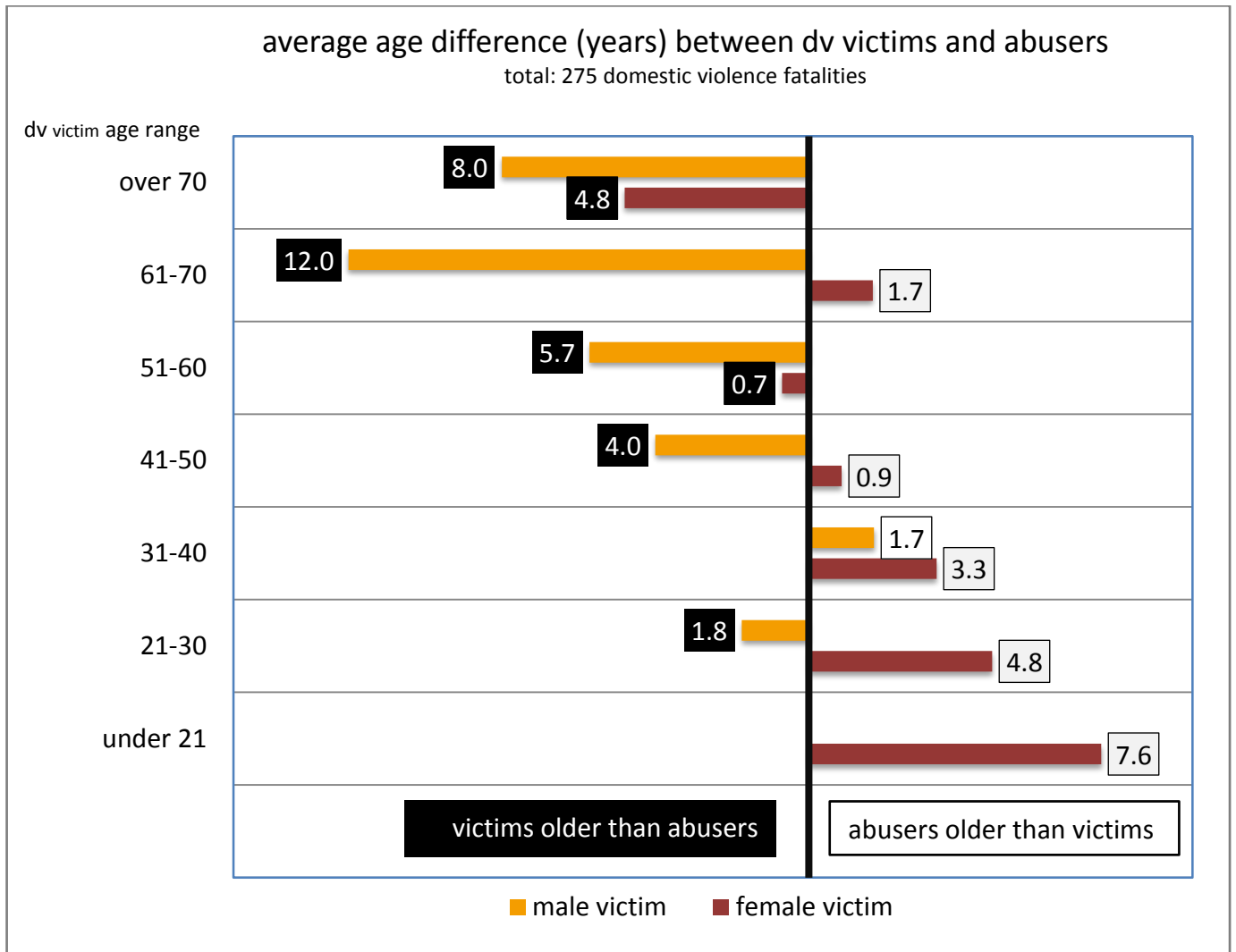


² Mass shooting is defined as four or more people killed by firearms in one related incident, including the shooter.

Age of victims

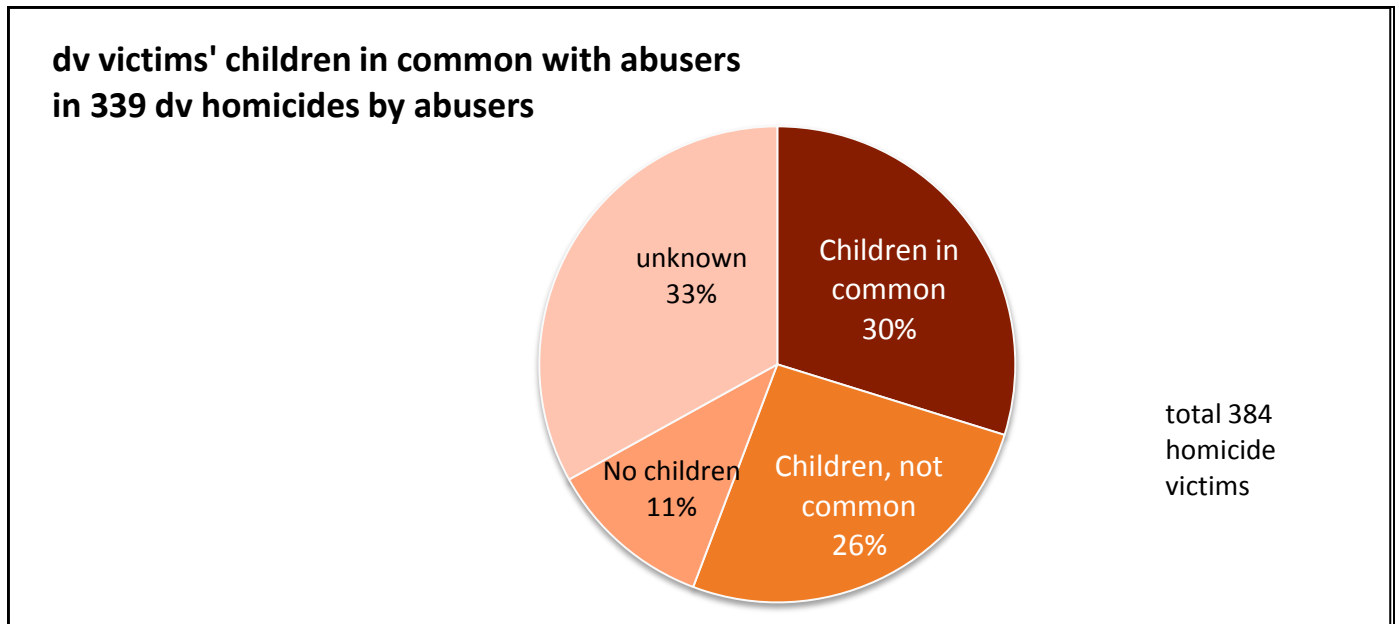
In most of the 241 domestic violence fatalities involving female victims and male abusers, the victim was younger than the abuser. In most of the 34 fatalities involving male victims and female abusers, the male victim was younger.

Age difference was most pronounced for victims under 21 and over 60 years old. On average, female victims under 21 were nearly 8 years younger than male abusers. Male victims age 61-70 were an average of 12 years younger than female abusers.

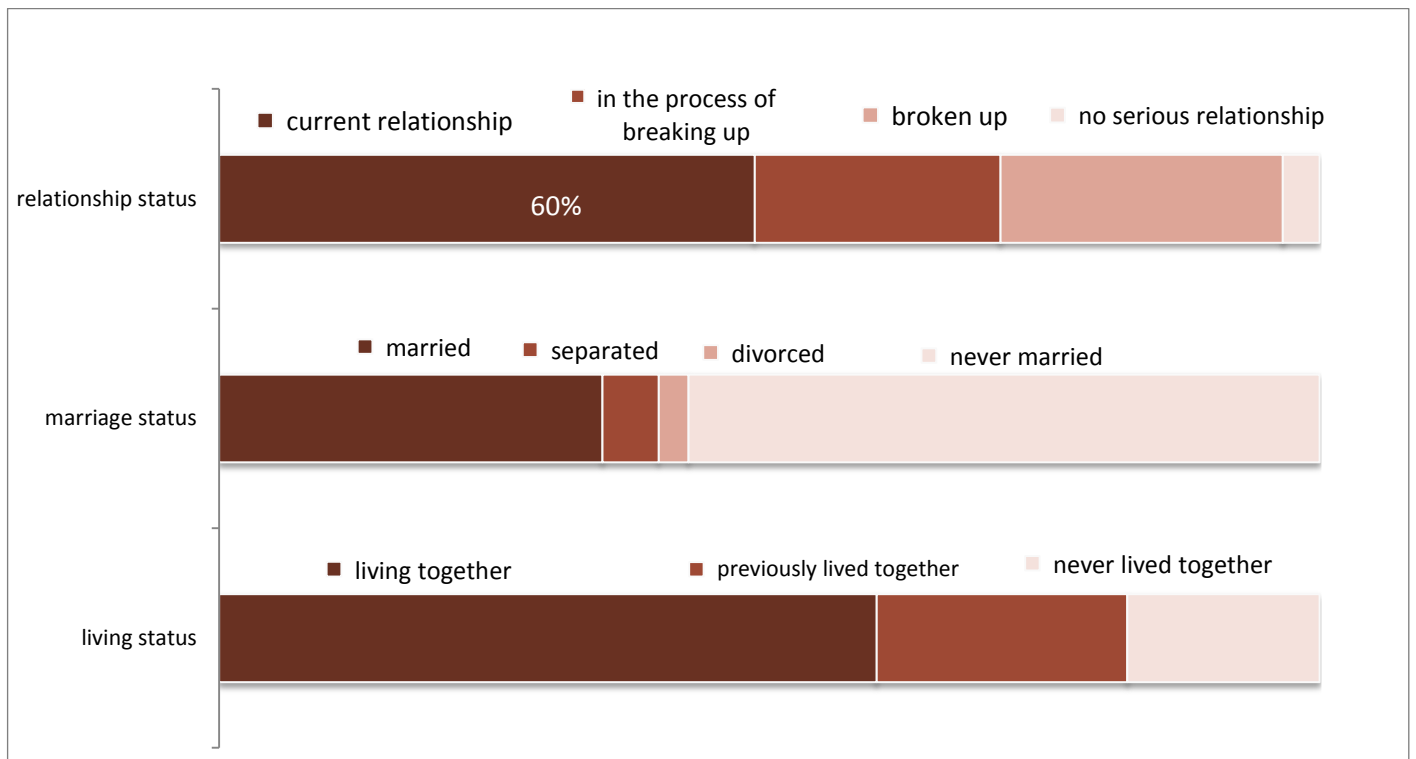


Relationship status

In at least 30% of homicides by abusers, the dv victim and abuser had children in common.



1 in 5 victims who had ended the relationship with the abuser were still living together at the time of the homicide.



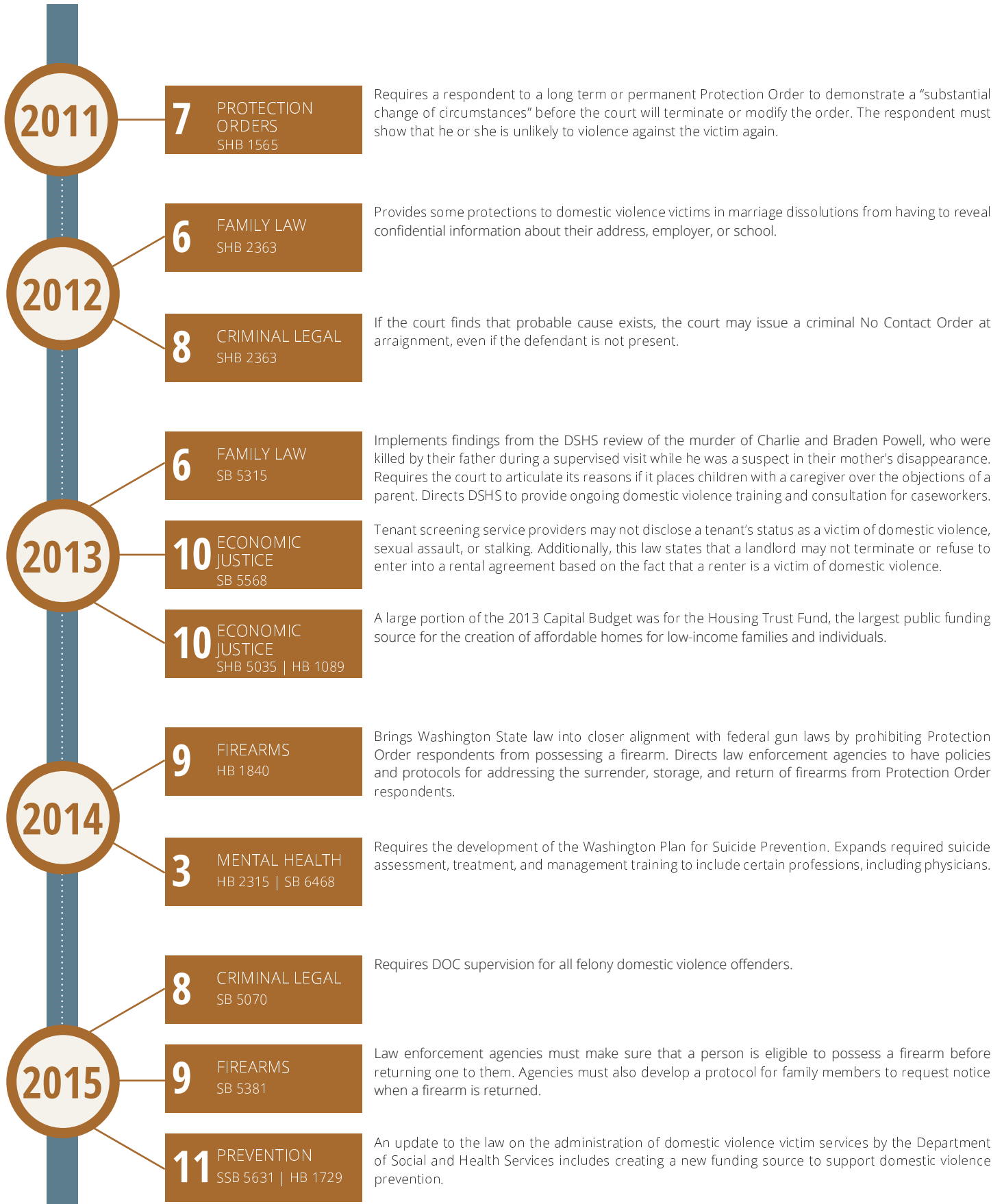
Eleven Key Goals

The 2010 report, *Up to Us*, analyzed findings from 13 years of in-depth reviews of domestic violence fatalities in Washington State. Based on those findings, the report identified 11 key goals to improve the response to domestic violence in our state. We identified specific recommendations toward each goal.

KEY GOALS TO IMPROVE THE RESPONSE TO DOMESTIC VIOLENCE IN WASHINGTON STATE

- 1 Offer comprehensive, survivor-centered advocacy at every point at which victims seek help.
- 2 Improve access to justice and culturally relevant services for victims in historically marginalized communities.
- 3 Integrate understanding of domestic violence into mental health, suicide, and substance abuse interventions.
- 4 Increase knowledge about teen dating violence and young people's access to appropriate services and interventions.
- 5 Build the capacity of friends, family members, neighbors, employers, and coworkers to support domestic violence victims and respond to abusers.
- 6 Improve the ability of family courts to identify domestic violence and appropriately address victims' and children's safety and well-being.
- 7 Maximize the effectiveness of Domestic Violence Protection Orders to protect victims and their children.
- 8 Ensure that the criminal legal system consistently imposes meaningful consequences for abusers' violence and increases victims' safety.
- 9 Maximize the use of existing legal means to restrict abusers' access to firearms.
- 10 Increase victims' options for economic and housing stability.
- 11 Develop state and local strategies to promote healthy relationships and prevent dating and domestic violence.

Timeline of significant Washington State legislation



Implementation of Key Goals

Implementation of Key Goals

Since *Up to Us* was published in December 2010, 285 people in Washington State have lost their lives in domestic violence-related fatalities. The 11 key goals remain critical to improving our communities' ability to increase safety and options for survivors, and respond effectively to violence.

Improving the laws that protect survivors and their children is one measure of progress toward these goals, but it is only one aspect of the change that is urgently needed. What follows is a summary of new tools and resources to support the implementation of these critical goals. This includes additional research that has deepened our understanding of the issues, as well as practical tools and strategies to move forward toward safer communities for all.

GOAL #1: OFFER COMPREHENSIVE, SURVIVOR-CENTERED ADVOCACY AT EVERY POINT AT WHICH VICTIMS SEEK HELP.

***Up to Us* case review findings:**

- Victims' complex and changing needs illuminated the need for comprehensive advocacy and safety planning.
- When victims or their families found advocates, the advocates did not always offer comprehensive advocacy or safety planning
- Reviewed cases illustrated the limitations of focusing on any one strategy to meet victims' safety needs.

Steps forward:

Domestic violence advocates: Offer safety planning strategies to all victims and their friends and families who contact your agency.

Domestic violence programs and funders: Increase efforts to co-locate community-based domestic violence advocates in a range of community settings, for example in health clinics, DSHS Community Services Offices, and Protection Order offices.

Domestic violence programs: Articulate a clear message about what your program does that can be easily understood by anyone in the community. Use that message in community education, outreach, fundraising, social media, and with the news media.

Implementation Tools & Resources

Washington State facts

- The annual DV Counts Census documents the critical work that domestic violence advocates do. In [one day in 2016](#), 984 people in Washington accessed domestic violence advocacy, including individual support, legal advocacy, and help finding safe housing. 660 callers contacted state and local domestic violence hotlines for information, support and safety planning.
- Find out [what to expect](#) when calling a domestic violence program for help.

Advocacy tools

- [Advocacy Beyond Leaving](#) Critical tools for supporting survivors who stay in relationship with abusers for many reasons.
- Getting clear about the role of advocacy includes understanding [advocacy language vs. legal system language](#)
- Use our [media guide](#) to get the message out.
- Learn more about [DV advocates stationed in Community Service Offices](#)

Fatality Review findings & recommendations

- [Goal #1](#) in *Up to Us* (2010)
- [Summary of DVFR findings and recommendations related to advocacy](#) (2000-2010)

GOAL #2: IMPROVE ACCESS TO JUSTICE AND CULTURALLY RELEVANT SERVICES FOR VICTIMS IN HISTORICALLY MARGINALIZED COMMUNITIES.

Up to Us case review findings:

- Immigrant and refugee victims faced overwhelming barriers to finding safety.
- In every case review where the spoke limited English, inadequate interpretation undermined the victim's ability to get help from law enforcement, courts, or social services.
- Poor relationships between law enforcement and communities of color, immigrant communities, and LGBT communities undermined victims' and community members' willingness to seek help from the legal system.
- One reviewed case involving a same-sex relationship demonstrated the legal system's failure to effectively distinguish the victim from the abuser, intensifying the danger for the victim.
- The absence of culturally appropriate, community-based domestic violence services compounded the legal system's inability to adequately protect victims in these cases. In most cases, culturally relevant, accessible services simply did not exist.

Steps forward:

Law enforcement agencies, prosecutor's offices, and courts: Develop a language access plan that ensures access for victims in 911 calls, law enforcement response and investigation, prosecution decisions, court proceedings, and court-based victim advocacy services.

Domestic violence programs and culturally specific community organizations: Offer cross-training, share community engagement strategies, and collaborate to co-advocate for victims of domestic violence in marginalized communities.

Domestic violence programs: Prioritize recruiting and hiring advocates, managers, directors, and board members from diverse cultural backgrounds who are grassroots leaders and advocates in their own communities.

Immigrant community organizations, immigration attorneys, and dv programs: Provide information to community members about immigrants' legal rights, how to access legal assistance, and legal options available to immigrant domestic violence victims.

Funders: Support dv advocacy programs by and for Native communities, communities of color, immigrant communities and LGBT communities.

All programs offering domestic violence services: Establish protocols for assessing who is a survivor of domestic violence and who is an abuser in a same-sex relationship.

Implementation Tools & Resources

Washington State data

- Risk of domestic violence homicide for women of color and Native women is 2-3 times higher than for white, non-Hispanic women.
- 73% of Washington programs reported that they currently provide advocacy for survivors related to immigration. 68% provided advocacy by a bilingual advocate.³
- Since 2006, at least 12 people were killed in domestic violence fatalities involving LGBT victims.
- 85% of domestic violence programs in Washington State reported that they provide support and advocacy to LGBTQ victims of abuse during the past year. During that time, 10% of programs expanded services to LGBTQ survivors.³

Advocacy tools

- [Issue Brief: Immigrant & refugee victims of dv homicide in Washington State](#)
- Get help meeting survivors' language access needs from the [Interpretation Technical Assistance & Resource Center](#)
- The 2013 Violence Against Women Act was an important step forward for tribes' ability to protect domestic violence survivors. [Find out how tribes in Washington State and beyond](#) are implementing these protections.
- [Survived and Punished](#) documents the stories of women and trans people of color who were charged with crimes for actions they took to defend themselves against domestic and sexual violence.
- The new [National LGBTQ Domestic Violence Capacity Building Learning Center](#) increases the ability of advocates to meet the needs of LGBTQ survivors.

Fatality Review findings & recommendations

- [Goal #2](#) in *Up to Us* (2010)

³ DV Counts Census, 2015

GOAL #3: INTEGRATE UNDERSTANDING OF DOMESTIC VIOLENCE INTO MENTAL HEALTH, SUICIDE, AND SUBSTANCE ABUSE INTERVENTIONS.

Up to Us case review findings:

- When abusers were suicidal, neither legal nor mental health interventions adequately addressed the danger to victims signaled by abusers' suicide risk.
- Many abusers in reviewed cases received substance abuse treatment, but providers did not address domestic violence.
- Abusers' contacts with health care and mental health providers amounted to a litany of missed opportunities for intervention.
- In at least 22% of the forty-six reviewed cases in which the victim and the abuser were married, the couple had been in family therapy or couples counseling at some point prior to the fatality.
- In most of the reviewed cases, the resources to simultaneously address victims' mental health, sobriety, and safety needs simply did not exist.

Steps forward:

Mental health, health care, and domestic violence experts: Collaborate to develop model screening tools for mental health and health care providers to routinely assess depressed and suicidal men for perpetrating domestic violence, and protocols for referrals, treatment, and disclosure to family members.

Funders, researchers, mental health professionals, and domestic violence experts: Support and conduct research into effective interventions for men who are both abusive and suicidal, and develop a pilot treatment program.

Substance abuse treatment providers: Routinely screen participants for domestic violence. Refer abusers to certified domestic violence batterer's intervention and victims to domestic violence advocacy programs.

Family therapy and mental health counselors: Screen clients for domestic violence. Help victims identify options for safety and refer them to domestic violence advocacy programs. Refer abusers to certified domestic violence batterer's intervention.

Implementation Tools & Resources

Washington State data

- Since 2006, 124 domestic violence fatalities have involved an abuser's suicide death. An additional 26 domestic violence abusers have been killed by law enforcement intervention.
- 78% of dv programs in Washington provide survivors support or advocacy related to mental health. 68% provide advocacy related to substance abuse.⁴

Advocacy tools

- [Washington Statewide Plan for Suicide Prevention](#) and Action Planning Guide
- Training and tools for meeting the needs of survivors with mental health concerns from the [Domestic Violence & Mental Health Collaboration Project](#)⁵

Fatality Review findings & recommendations

- [Goal #3](#) in *Up to Us* (2010)
- [Summary of DVFR findings and recommendations related to suicide and mental health.](#) (2000-2010)

⁴ DV Counts Census, 2015

⁵ Source: [Coalition Ending Gender-Based Violence](#)

GOAL #4: INCREASE KNOWLEDGE ABOUT TEEN DATING VIOLENCE AND YOUNG PEOPLE'S ACCESS TO APPROPRIATE SERVICES AND INTERVENTIONS.

Up to Us case review findings:

- 31% of victims in reviewed cases were under 21 when they first became involved with their abusive partners.
- Review panels consistently found that schools did not provide adequate education or resources to address dating violence.
- In reviewed cases, teen victims' parents did not have the information or resources they needed.

Steps forward:

Domestic violence advocates: Build the capacity of parents and adults who work with youth—for example, teachers, after-school care providers, camp counselors, youth group leaders, coaches, and teen parenting program staff—to provide information and support around healthy relationships and abuse

Domestic violence advocates and adults who work with youth: Use WSCADV's interactive education tool *In Their Shoes: Teens and Dating Violence* to help parents and adults who work with youth learn about teen dating violence.

Schools, parent teacher associations, and school boards: Promote a school environment that includes teachers, administrators, counselors, and health care providers who are educated about dating and domestic violence; school curricula that provide opportunities to discuss healthy relationship models; and policies and protocols for responding to domestic and dating violence among students, families, and staff.

Implementation Tools & Resources

Washington State data

- [Issue Brief: Teen victims of domestic violence homicide in Washington State](#)
- 73% of Washington State dv programs provide advocacy to teen victims of dating violence. 17% increased those services in the past year.⁶

Advocacy tools

- Get started with [“We should really serve teens, but how?”](#)
- Learn best practices regarding [mandatory reporting and teen dating violence](#).
- Use [In Their Shoes: Teens and Dating Violence -- Classroom Edition](#) to engage students in thinking about violence and healthy relationships.

Fatality Review findings & recommendations

- [Goal #4](#) in *Up to Us* (2010)
- [List of DVFR findings and recommendations related to teens](#) (2000-2010)

⁶ DV Counts Census, 2015

GOAL #5: BUILD THE CAPACITY OF FRIENDS, FAMILY MEMBERS, NEIGHBORS, EMPLOYERS, AND COWORKERS TO SUPPORT DOMESTIC VIOLENCE VICTIMS AND RESPOND TO ABUSERS.

Up to Us case review findings:

- Again and again, fatality reviews showed that victims reached out for help to friends, family, neighbors, and coworkers.
- In at least twenty reviewed cases, neighbors knew about or witnessed the abuse.
- In reviewed cases, communities completely lacked tools outside the legal system to respond to abusers' violence.
- Abusers' violence and control eroded victims' relationships with their friends, family members, and communities.

Steps forward:

Domestic violence programs: Include messages in public education, outreach campaigns, and media that are directed at friends and family members (for example, how to support a victim or where to call for help making a plan to support a friend).

Domestic violence advocates: Routinely help victims rebuild their connections with family and friends and safety plan with their support networks.

Employers: Routinely offer information to employees about domestic violence community resources (for example, attach information to paychecks, post information in restrooms, or invite a domestic violence advocate to share information at a staff meeting).

National and statewide domestic violence advocacy organizations, men's anti-violence organizations, and batterer's intervention experts: Develop tools and strategies for community members to talk with abusers and encourage them to stop their violence.

Implementation Tools & Resources

Washington State data

- [Issue Brief: Where did domestic violence victims turn for help?](#)
- See how one county applied [learning from domestic violence homicides](#) to action to engage communities.

Advocacy tools

- Fatality review teams found that communities had very few tools to talk about abuse with survivors or abusers. Use our [conversation cards](#) to check in on loved ones, or approach a friend who is abusing their partner.
- Get tools for supporting LGBT survivors to re-build community connection: [It Takes a Village, People!](#)⁷
- Whatcom County Domestic Violence Commission's [DV in the Workplace](#) toolkit.⁸
- Training, policies, models and tools from [Workplaces Respond to Domestic Violence and Sexual Assault](#)

Fatality Review findings & recommendations

- [Goal #5](#) in *Up to Us* (2010)
- [List of DVFR findings and recommendations related to employers](#) (2000-2010)

⁷ Source: The Northwest Network of Bisexual, Trans, Lesbian and Gay Survivors of Abuse

⁸ Source: Futures Without Violence

GOAL #6: IMPROVE THE ABILITY OF FAMILY COURTS TO IDENTIFY DOMESTIC VIOLENCE AND APPROPRIATELY ADDRESS VICTIMS' AND CHILDREN'S SAFETY AND WELL-BEING.

Up to Us case review findings:

- When victims and abusers had children in common, victims' fears that they would lose custody of their children were a great obstacle to escaping the abuse.
- Over the course of twelve years in fifteen Washington counties, review panels repeatedly found that courts failed to adequately address victims' safety concerns or to understand how abusers' violence and controlling behavior threatened the safety and well-being of their children.
- Attorneys in reviewed cases were reluctant to raise the issue of domestic violence in dissolution and custody proceedings for a range of reasons.

Steps forward:

Family law attorneys: Routinely screen clients for domestic violence and coercive, controlling behavior by the other party. Help victims identify options for safety and refer them to community-based domestic violence programs. Get training on how to craft parenting plans that protect victims' safety and children's well-being. Draft parenting plan provisions that minimize opportunities for abusers to intimidate and control the victim and that limit the extent to which victims are required to have ongoing contact with abusers.

Courts: Establish training standards, qualifications, and best practices for guardians ad litem and parenting evaluators. Increase supervision and ongoing training for GALs and evaluators, and require as part of training a supervised practicum in domestic violence family law cases. Implement mechanisms for the court to ensure that GALs and parenting evaluators are accountable to established standards.

Courts: Create mentorship opportunities that pair judges and commissioners who are experienced in domestic violence family law cases and willing to mentor, share expertise, and engage in problem solving with other judicial officers.

Implementation Tools & Resources

Washington State data

- Domestic violence and sexual assault survivors in Washington State face much higher rates of civil legal problems.⁹

Advocacy tools

- Washington's [Domestic Violence Manual for Judges](#) includes guidance for courts making decisions regarding dissolution, parenting plans, and addressing child abuse and neglect when domestic violence is a factor.
- The [National Child Custody Project](#) provides training, technical assistance, and practice guides to promote informed decision making in child custody cases where domestic violence is a factor.¹⁰
- Find the [Social Workers' Practice Guide to Domestic Violence](#), along with tips for what domestic violence advocates need to know about the guide.
- Learn about the [Indian Child Welfare Act](#), and how [federal regulations](#) affect court decisions involving Native children and families.

Fatality Review findings & recommendations

- [Goal #6](#) in *Up to Us* (2010)
- [Summary of DVFR findings and recommendations related to family law \(2000-2010\)](#)

⁹ Source: [Civil Legal Needs Study Update](#), 2015, Office of Civil Legal Aid

¹⁰ Source: Battered Women's Justice Project, 2016

GOAL #7: MAXIMIZE THE EFFECTIVENESS OF DOMESTIC VIOLENCE PROTECTION ORDERS TO INCREASE SAFETY FOR VICTIMS AND THEIR CHILDREN.

Up to Us case review findings:

- Since our first report in 2000, the DVFR has identified the lack of advocacy and safety planning for Domestic Violence Protection Order petitioners as a critical gap in the protections available to victims.
- Two reviewed cases illustrated how petitioning for a Protection Order without any accompanying advocacy can actually increase some victims' danger.
- In four reviewed cases, victims' Protection Order petitions were denied by the courts. The costs to victims were clear and devastating.
- In reviewed cases, courts failed to adequately address physical child custody and visitation in Protection Orders, leaving victims and children vulnerable.

Steps forward:

Courts: Offer every Protection Order petitioner immediate advocacy and safety planning, preferably by having advocates located in the court. Explore using technology to provide advocacy remotely when courts are not able to provide advocacy on-site.

Courts: Develop a process to resolve conflicting orders that provides petitioners with the maximum protection to which they are entitled.

Courts: Create forms and establish procedures for victims to obtain a Domestic Violence Protection Order as part of a dissolution or parentage case, as provided for in RCW 26.50.025.

Implementation Tools & Resources

Washington State data

- Over 15,000 domestic violence protection orders are filed in Washington State Superior Courts each year.¹¹
- Over 8,000 violations of domestic violence protection orders and no contact orders are reported to Washington State law enforcement agencies each year.¹²

Advocacy tools

- [National Center on Protection Orders and Full Faith & Credit](#)¹³
- [Comparison of Court Orders](#) for Washington State
- [Family law tools](#) for domestic violence survivors and advocates¹⁴

Fatality Review findings & recommendations

- [Goal #7](#) in *Up to Us* (2010)

¹¹ Source: Caseloads of the Courts of Washington, 2016, Administrative Office of the Courts

¹² Source: Crime in Washington, Washington Association of Sheriffs and Police Chiefs

¹³ Source: Battered Women's Justice Project

¹⁴ Source: Coalition Ending Gender-Based Violence, 2016

GOAL #8: ENSURE THAT THE CRIMINAL LEGAL SYSTEM CONSISTENTLY IMPOSES MEANINGFUL CONSEQUENCES FOR ABUSERS' VIOLENCE AND INCREASES VICTIMS' SAFETY.

Up to Us case review findings:

- Reviewed cases documented failures at every point in the criminal legal system—from 911 dispatch to law enforcement response, to prosecution, sentencing, and post-sentencing supervision.
- In the majority of cases, courts did not impose meaningful consequences or order helpful interventions for abusers.
- In reviewed cases, many abusers who had been convicted of domestic violence crimes were subject to minimal post-sentencing supervision.
- The criminal legal response in most reviewed cases did not increase victims' safety and sometimes increased the risk of harm.
- Court practices in reviewed cases varied widely regarding the conditions under which to rescind criminal No Contact Orders.

Steps forward:

Law enforcement agencies: Document complete offense reports for all domestic violence calls, including calls during which officers determine there is no probable cause to arrest, as mandated by RCW 10.99.030(6)(b). Review policies and practices for monitoring the accuracy and completeness of domestic violence incident reports. Consult with the Washington Association of Sheriffs and Police Chiefs for model practices for monitoring the documentation of domestic violence investigations.

Law enforcement agencies, prosecutor's offices, and courts: Learn from one another about how to maximize use of the tools available to increase abuser accountability and victim safety. Contact WSCADV to learn about good models statewide.

Judges and prosecutors: Develop and use a variety of sentencing options for abusers, including state-certified domestic violence batterer's intervention, timely court review, jail time, work release, electronic home monitoring, and intensive probation.

Prosecutor's offices, courts, and domestic violence advocates: Collaborate to establish best practice guidelines for courts considering whether to rescind No Contact Orders in criminal domestic violence cases.

Judges: Hold frequent post-sentencing reviews and impose meaningful and timely consequences for domestic violence offenders who do not comply with sentences.

Implementation Tools & Resources

Washington State data

- In 2014, 49,360 domestic violence offenses were reported to law enforcement agencies in Washington State. 14% of all criminal offenses reported were committed against a family or household member.¹⁵
- 32% of police officers killed by guns in Washington were killed in domestic violence-related incidents.¹⁶
- 31% of domestic violence victims killed by an abuser in Washington State had been charged with at least one criminal offense before their death. 7% had been charged with a domestic violence offense. 13% had been charged with an offense related to substance abuse.

Advocacy tools

- The [Domestic Violence Manual for Judges](#) contains guidance for courts regarding arrest, searches, pre-trial release, assessing lethality factors, no contact orders, evidence, and victims' rights in criminal proceedings.
- Administrative Office of the Court's [Model Policy](#) for victims' requests to modify or terminate a criminal No Contact Order. Since 2010, Washington State law has required all courts to have such policies in place.
- [Victim-Defendant Project](#) Find tools to advocate for survivors charged with crimes.¹⁷

Fatality Review findings & recommendations

- [Goal #8](#) in *Up to Us* (2010)

¹⁵ Source: *Crime in Washington*, 2014, Washington Association of Sheriffs and Police Chiefs

¹⁶ Source: Washington State Domestic Violence Fatality Review, 2013

¹⁷ Source: Coalition Ending Gender-Based Violence

GOAL #9: MAXIMIZE THE USE OF EXISTING LEGAL MEANS TO RESTRICT ABUSERS' ACCESS TO FIREARMS.

Up to Us case review findings:

- Over 20 years, the Washington State Domestic Violence Fatality Review has consistently identified removing firearms from abusers as a priority to protect victims from lethal violence.
- Existing state and federal laws prohibit convicted domestic violence offenders and protective order respondents from possessing firearms. However, law enforcement and courts do not consistently enforce these laws to the fullest extent possible.
- With very few, recent exceptions, law enforcement agencies did not have protocols in place to remove firearms from protective order respondents or convicted domestic violence offenders.
- Courts issuing protective orders did not make full use of their options to remove weapons from abusers.
- Failure to remove weapons from the most dangerous abusers when issuing temporary protective orders leaves victims vulnerable at a dangerous time—when they are separating from abusers and the abusers' control is challenged by the court.

Steps forward:

Courts, prosecutor's offices, probation departments, and law enforcement agencies:

Develop countywide protocols that set out how each agency will cooperate to restrict access to firearms by domestic violence offenders and protective order respondents. Prioritize removing firearms from abusers who have made homicidal or suicidal threats.

Courts: Routinely provide Protection Order petitioners with a Petition for Surrender of Weapon, and establish procedures to ensure orders are forwarded to law enforcement.

Domestic violence advocates: Routinely ask victims about abusers' access to firearms and help victims explore options for removal of firearms in the civil and criminal legal systems.

Washington State Legislature: Align state firearm forfeiture laws with federal law to clarify law enforcement's authority to remove weapons.

Implementation Tools & Resources

Washington State data

- [Domestic violence homicides by prohibited firearms purchasers](#)

Advocacy tools

- [Orders to Surrender Flow Chart](#) When does Washington law require surrender of weapons with a protective order?
- [Strategies for Effective Orders](#) Potential strategies for advocates, law enforcement and courts at each stage of Protection Order process to ensure safe removal of firearms from abusers subject to protective orders.

Fatality Review findings & recommendations

- [Goal #9](#) in *Up to Us* (2010)
- [Summary of DVFR findings and recommendations related to firearms](#) (2000-2010)

GOAL #10: INCREASE VICTIMS' OPTIONS FOR ECONOMIC AND HOUSING STABILITY.

Up to Us case review findings:

- Abusers in reviewed cases sabotaged victims' employment and threatened their economic independence.
- Victims delayed leaving or were unable to leave abusers because they lacked the means to support themselves and their children.
- A lack of stable and affordable housing limited victims' options to find safety.
- When victims received public assistance, they were not routinely informed about domestic violence resources.

Steps forward:

Funders and domestic violence programs: Increase emphasis on services and strategies that support long-term economic stability and well-being beyond temporary, emergency needs.

Funders: Support and replicate innovative local programs that involve domestic violence advocates, landlords, and housing authorities collaborating to create permanent affordable housing specifically for domestic violence victims. Contact WSCADV to learn about model programs.

Domestic violence programs: Offer training about domestic violence and relevant state laws protecting domestic violence victims' housing rights to local landlords, property managers, and housing authorities.

Domestic violence advocates: Learn about and advocate for victims to obtain the full range of services and exemptions for domestic violence victims in economic assistance programs.

Employers: Develop policies to help employees who are domestic violence victims safely maintain their employment.

Banks and lending institutions: Work with domestic violence advocates to develop programs that offer victims opportunities to rebuild their credit.

DSHS: Routinely offer information about domestic violence advocacy and safety planning to everyone who receives services from DSHS.

Implementation Tools & Resources

Washington State data

- [Issue Brief: Economic Barriers to Safety](#)
- 55% of the employees of domestic violence programs in Washington take care of dependent children or adults. 36% are the sole provider for their household. The median hourly wage for a full time domestic violence advocate is \$15.¹⁸
- [Domestic Violence Housing First](#) emphasizes survivor driven advocacy, housing stability, community engagement, and flexible financial assistance to help survivors access safe and stable housing. Pilot study results showed that 96% of survivors who participated were still stably housed 18 months after entering the program. At final follow-up, 76% were receiving minimal services from the DVHF program at low cost to the agency.

Advocacy tools

- Find [up-to-date information](#) on Washington State's legal protections for survivors in housing and employment, and access to public benefits.
- The [Domestic Violence Housing First Toolkit](#) provides an introduction to the project, as well as the tools, templates, and protocols needed to implement and sustain this approach.

Fatality Review findings & recommendations

- [Goal #10](#) in *Up to Us* (2010)

¹⁸WSCADV 2015 Wages & Benefits Survey Report

GOAL #11: DEVELOP STATE AND LOCAL STRATEGIES TO PROMOTE HEALTHY RELATIONSHIPS AND PREVENT DATING AND DOMESTIC VIOLENCE.

Up to Us Case Review Findings:

- Fatality reviews showed that domestic violence homicides are not unpredictable, isolated tragedies. In some cases, panels could clearly identify conditions that made victims vulnerable to abuse or factors that contributed to abusers' violence.
- In virtually every case, communities did not have the tools or resources to change the conditions that made victims vulnerable.
- As violence continued over time, victims' choices narrowed. By the time a homicide occurred, options for effective intervention were slim.
- Fatality Review panels in every county have called for focused efforts to stop abuse before it starts.

Steps forward:

Schools: Create school environments that teach and promote compassion, respect, equality, and nonviolent problem solving through curricula, policies, and school events.

Funders and domestic violence programs: Increase attention and commitment to abuse prevention, support for healthy relationships, and early intervention with victims of domestic violence.

Funders and domestic violence programs: Fund and coordinate efforts statewide to develop and evaluate strategies to prevent domestic violence.

Implementation Tools & Resources

Washington State facts

- 86% of domestic violence advocacy programs in Washington provide prevention services and/or community education. 15% of programs increased this work during the past year.¹⁹
- 24% of programs participate in a domestic violence homicide reduction or lethality assessment initiative.¹⁹

Advocacy tools

- [Prevention Guidelines](#) for Domestic Violence Programs in Washington State
- ["How's Your Relationship?"](#) conversation cards provide a template for talking about healthy relationships with people of all ages.
- [Relationship Skills Class Curriculum](#) helps community members "get the skills they need for the relationships they want."²⁰

Fatality Review findings & recommendations

- [Goal #11](#) in *Up to Us* (2010)

¹⁹ Source: [DV Counts Census](#), 2015

²⁰ Source: The Northwest Network of Bisexual, Trans, Lesbian & Gay Survivors of Abuse



About the Washington State Domestic Violence Fatality Review

About the Washington State Domestic Violence Fatality Review

History of the Domestic Violence Fatality Review

The DVFR came about as a result of concern on the part of domestic violence victim advocates about the significant number of women murdered each year by current or former intimate partners. Advocates believed that careful examination of these deaths could yield important insights into the response to domestic violence. They hoped that domestic violence fatality reviews would serve as a powerful tool to create knowledge and catalyze action from tragedy.

The DVFR formed in 1997 and began reviewing cases in 1998. In 2000, the Washington State Legislature passed legislation that established the fatality review process and provided confidentiality and liability protections for review panels.

From 1998-2010, Fatality Review teams conducted 84 case reviews involving 135 deaths in 15 counties. The DVFR issued biennial reports detailing findings from these in depth reviews, as well as specific recommendations for policy and practice changes. Our 2010 report, *Up to Us*, identified 11 Key Goals for Washington State, based on over a decade of reviews and analysis.

Principles & Goals

VICTIM CENTERED

Review team members look at their own agencies and institutions from the perspective of victims in their community. Reviews honor victims' experience and include direct information from victims, survivors, their family, and community members. Review teams challenge themselves to think creatively about how their work or policies may need to change in order to expand options for victims marginalized by poverty, racism and institutional bias. Reviews bring in victims' voices through interviews with friends and family, and direct quotes from victims in public records. Domestic violence and other community based advocates play a central role in representing victims experience.

SYSTEMS ANALYSIS

Through deeply examining one individual victim's experience, review teams bring to light how systems respond to all survivors and abusers. Analysis is focused on systems, not individual response. Fatality reviews are not investigations, and review teams do not seek to assign blame for a victim's death. The goals of a fatality review are to: identify barriers to safety and justice for all survivors; identify how institutional incentives discourage or encourage an excellent response to domestic violence; identify gaps in training, policy, practice, resources, communication, and collaboration; think creatively about how the work or policies of agencies may need to change

COMMUNITY BASED

The DVFR seeks to engage the whole community in taking responsibility to end domestic violence. Review teams include advocates, law enforcement, courts, health care and mental health providers, child welfare, economic services, schools, businesses leaders, faith communities, and grassroots community groups. Teams build relationships and shared insights that are the foundation for problem solving.

CENTERING MARGINALIZED COMMUNITIES

Victims in marginalized communities face massive, systemic barriers to accessing mainstream interventions and are disproportionately at risk for domestic violence homicide. Washington's DVFR model centers the experience of both victims and their communities in teams' analysis of the how the community meets victims' needs and holds abusers accountable. In-depth fatality reviews have documented lack of language access, lack of culturally appropriate and relevant services, lack of coordination and collaboration between culturally specific organizations and mainstream providers, historic and institutionalized racism and homophobia, and racially disproportionate poverty that limits victims' options for safety.

PREVENTION ORIENTED

Domestic violence homicides are not unpredictable, isolated tragedies. Review teams ask: What conditions shaped the victim's options? Where were opportunities to intervene with the abuser? What could have stopped the violence before it started? Very often the answers are not individual, but point to systemic change. Focus on prevention and early intervention is especially important in African American, Native and immigrant and refugee communities affected by disproportionate incarceration and child welfare involvement, intergenerational and historical trauma.

CATALYST FOR CHANGE

The community response to a domestic violence homicide can be a galvanizing force. Specific recommendations rooted in case reviews give advocates the tools to direct the desire to "do something" into concrete, strategic action. DVFR reports give practical guidance to interdisciplinary task forces and Coordinated Community Response teams.

For More Information

Find Fatality Review reports, Issue Briefs, updated statistics, and learn more about the project at our website: wscadv.org/projects/fatality-review

WASHINGTON STATE COALITION
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AGAINST DOMESTIC VIOLENCE