



Howard County Domestic Violence Fatality Review Team Howard County, Maryland

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2013 ANNUAL REPORT

History

The Howard County Fatality Review Team (HCDVFRT) was originally established in November of 2007 and operated through April of 2012 at which time the group became in-active. In part this inactivity was due to a lack of DV related fatalities to review and due in part to an erroneous belief that cases could not be reviewed until all appellate action was exhausted. Staff changes at the State's Attorney's Office, as well as the Domestic Violence Center resulted in the re-establishment of the group in April of 2013. In recent years, there have been few domestic violence related fatalities in the County, therefore the HCDVFRT opted to focus on the most recent non-reviewed DV homicide/suicide that occurred in 2010.

Purpose

The mission of the Howard County Domestic Violence Fatality Review Team (HCDVFRT) is to attempt to reduce domestic violence, specifically domestic related fatalities and near fatalities in our County through a multi-disciplinary review of our response to domestic violence in our community. The goal is to utilize a multi-disciplinary model to address training and community based prevention programs, as well as to effect systemic change to our community's response to domestic violence.

Authorization

HB 741, “Local Domestic Violence Fatality Review Teams,” was signed into law by Governor Robert Ehrlich on April 26, 2005, effective July 1, 2005. The legislation enabled counties to establish domestic violence fatality review teams, making Maryland the twenty-first state that passed legislation regarding domestic violence fatality review. The domestic violence fatality review legislation is based on the Child Fatality Review Statute under Title 5, Subtitle 7, entitled “Child Fatality Review Teams,” established by SB 464 during the 1999 legislative session.

The legislation is codified under Title 4, Subtitle 7, entitled “Local Domestic Violence Fatality Review Teams” of the Family Law Article. Below are the citations for specific aspects of the authorization:

- FL§ 4-701: Defines domestic violence (DV) as being between “intimate partners.”
- FL§ 4-702: Authorizes establishment of team and organizing agencies.
- FL§ 4-703: Sets out membership.
- FL§ 4-704: Establishes:
 - Purpose—to prevent deaths.
 - Method of operation—creation of protocol and review of DV fatalities and near fatalities.
- Scope of review—number and type of cases for review.
- FL§ 4-705: Authorizes mandatory access to records.
- FL§ 4-706: Authorizes closed meetings when discussing cases.
- FL§ 4-707: Authorizes confidentiality and protection from civil and criminal proceedings.
- CJ§ 5-637.1: Allows for protection from liability.

Membership

The HCDVFRT is made up of a multidisciplinary group of professionals whose role in the community may contribute to a better understanding of the factors that influenced the occurrence of a domestic violence fatality or near fatality and whose agency, organization or governmental department has the ability to influence or change the response protocol in hope of preventing future deaths or injury. Please see attached roster for a full listing of HCDVFRT members and agencies represented.

Methodology

Selection of cases for review by the HCDVFRT (“Team”)

The review process begins with the selection of cases for review. The Team discussed potential cases that fit the criteria that were set at our first meeting: domestic homicides, domestic suicides and domestic cases involving serious injury. After the selection of a case, the co-chair

provides the names of the victim and the perpetrator, as well as all identifying information to all of the team members. The Team members will then use the information to research their agency's files for any pertinent information.

Information gathering

The team will gather all pertinent information from their agency's files and submit the information to the chair of the Team. The Team is permitted by law to review confidential files for the purposes of reviewing the cases selected. The Team is permitted to request records from organization's that do not have participating team members. The Team may also request medical records for the victim through an agreement with the local hospitals.

Interviews

The Team during its initial review may decide that there are individuals that it would be beneficial to interview during the screening process. If the decision is made, the Team will contact the individuals by letter and request an interview. The interviews will be assigned to team members who have training in interviewing victims and witnesses.

Review Process

Prior to each meeting, the Team members are given a to-do list of items to complete prior to the next scheduled meeting. At the meeting, the members will present the materials they were asked to locate and may be questioned about the materials or procedures by Team members. Many items are asked to be submitted prior to the meeting so an assigned member of the Team can compile a Case Timeline for each case reviewed. The timeline is discussed at the meeting and the members discuss any areas where they believe the process might have been changed to better the outcome. The members continue to brainstorm solutions to the identified problems.

Recommendations

During the review process of a case, the Team compiles a list of "Identified Problems" and works to create "Recommendations" to address the problem. The members of the Team who are associated with the agency being discussed will participate in the discussion and help draft a potential solution. These solutions are then presented to the appropriate person in the agency and the member will report back what, if any, actions were taken on the Team's recommendations.

Annual Report

The Team prepares an annual report with the purpose of providing information to the public and persons, agencies or organizations and community groups that may have an influence on enacting the proposed recommendations.

Recommendations

The HCDVFRT reviewed in totality over the past year one domestic related homicide that occurred in our community in 2010 with the purpose of identifying systemic issues that might be addressed and corrected. The HCDVFRT has identified three (3) issues and has agreed upon the following recommendations to address these issues.

1. IMPROVE CONTINUOUS COMMUNICATION WITH DV VICTIMS TO INCREASE SAFETY

Identified Problem:

Many different agencies interact with a domestic violence victim directly following a DV incident, but the contact falls off quickly after the initial contacts are made.

The initial contact is often made by the police who follow the protocol in determining which assessments are appropriate. They also provide referrals if necessary. Officers often refer the victim to the District Court for civil proceedings; including a Protective or Peace Order.

HopeWorks maintains an advocate on-site to assist in court accompaniment. They are available to provide services and make referrals. A victim advocate from the Sheriff's Office is also notified to assist with filings and make referrals and answer questions. The Sheriff's Office will also conduct follow up with the Petitioner in a granted Protective Order case.

The next contact might be from a Howard County Police Department DV detective, if there are criminal charges pending and the case screens in per protocol. The State's Attorney's Office (SAO) would then make contact to screen the case. At this point, there is no further specific contact or outreach to the victim until a criminal case, if one is pending, or to the Protective or Peace Order expiration.

In between the time of last contact and court, the perpetrator has access to the victim to continue verbal, emotional or physical abuse. The result often being a victim refusing to cooperate with prosecution or being re-victimized. The amount of support and communication for victim peaks after Protective/Peace or arrest and then declines dramatically.

Recommendations:

Increase contact with victims throughout the process to maintain a support system.

Work to establish follow-up procedures with HopeWorks to reoffer safety planning, etc. several days and then weeks following the Protective/Peace Order and/or arrest.

Increase contact with the victims through the Sheriff's Office. At the conclusion of the time period, advocate should reach out with additional resource referrals.

Establish emergency contact list to increase the potential for contact with victims in the future, as well as supporting family members and friends. The Sheriff's Office will present the Petitioner with a contact form at the time of the Protective Order hearing. This form will be maintained by the Howard County Police Department Domestic Violence Section. HopeWorks will continue to maintain emergency contact lists for all of its clients, but will only share the information with law enforcement and the SAO in cases where there exists a client release of confidentiality. This will be included in the waiver presently utilized by HopeWorks. The SAO will add an emergency contact list to its questionnaire that is sent to all victims in pending criminal cases.

Progress Report:

The Sheriff's Office has drafted a letter to be sent to victim's one (1) month prior to the expiration of the Protective Order that reiterates resources available in the community. The letter is currently in use beginning December, 2013.

Howard County Police Department is collecting emergency contact information when a detective is assigned to investigate a case. The Sheriff's Office added emergency contact information to Protective Order protocol handled by the court liaison. The information will be maintained at the Howard County Police DVS Unit.

HopeWorks of Howard County in June of 2013 established a systematic follow-up survey to contact past clients to evaluate their satisfaction with agency services as well as reevaluate the person's current safety level and need/desire for on-going services. Contact is made 30 days after a Final Protective Order is granted and then again at the 6 month mark. See attached internal memorandum and corresponding follow-up survey form.

The team is continuing to work on streamlining the process and sharing information between agencies.

2. ESTABLISH PROTOCOLS FOR RESPONDING TO CHILDREN WHOSE PARENTS ARE PART OF THE CRIMINAL JUSTICE SYSTEM AS A VICTIM/DEFENDANT OF A DV HOMICIDE CASE

3.

Identified Problem:

As first responders, there is no set protocol for dealing with children who witness or who are involved in DV incidents/homicides. Presently, the Mobile Crisis Team is called, often by the police, at the time of the incident and they provide immediate crisis intervention services at the scene. The Department of Social Services' (DSS) Child Protective Services unit (CPS) is also called to the scene, typically by the police in order to assess the children in the household and to attempt to place them in the care of a relative or with a foster family as necessary. Although the children may receive immediate crisis counseling at the scene through the Mobile Crisis Team and/or CPS, they may or may not receive follow-up comprehensive counseling or supportive services. The child's school is not generally given information about the child's circumstances in order for the school to provide supportive services. Despite the goal of the DSS to keep siblings together, children may be separated and placed in different homes depending on a number of factors outside of the Department's control. The other parent/family member/substitute caregiver may or may not choose to access available services to help the child recover from the event.

In the one case reviewed by the team, the children came home from school and were present during a portion of the police investigation into their mother's death. The five siblings were initially placed together with the same caregiver during a horribly traumatic situation but ultimately, they were split up after the three fathers individually pursued custody of their respective child/ren.

Recommendations:

1. Short-term:

Improve notification and crisis response management; to include immediate counseling services for children and family resources through the Mental Health Authority/Mobile Crisis Team, DSS, HopeWorks and the Howard County Public School System.

2. Long-term:

Create an informative packet including county resources for the families where the child/ren are placed following the death of a parent due to a DV Homicide. Improve access to crisis counseling and supportive services for the child/ren through the Howard County Public School System.

Progress Report:

The Team decided that the Mental Health Authority should be included in the team and an invitation is currently outstanding.

The Team is continuing the brainstorming discussion.

3. CREATE A PROTOCOL TO INCLUDE THE HOWARD COUNTY PUBLIC SCHOOL SYSTEM AND INDIVIDUAL SCHOOLS WHEN A CHILD IS INCLUDED IN A PROTECTIVE ORDER

Identified Problem:

Many Protective/Peace Orders provide for protection for the children of domestic violence victims from the perpetrator. The child/ren's school is not put on notice of the restriction placed on access or even that the perpetrator is not allowed at the school unless the Petitioner makes them aware.

The lack of knowledge by the school administrators about no contact orders could potentially cause a dangerous situation if the perpetrator attempts to remove the child/ren from the school in violation of the Court Order.

Progress Report:

An agreement has been finalized and a communication plan has been created for all Howard County Public Schools. A rollout of the new plan is planned for Spring, 2014.

The protocol applies to final Protective Order's only. It involves the Howard County Sheriff's Office Domestic Violence Unit supplying information to the contact at the Howard County Public School System. The Protective Order information is then passed on to the HCPSS security coordinator. The security coordinator will be responsible for assuring the principal at the appropriate school is notified of the Protective Order restrictions.

The intent of sharing information is to protect both the victim and his/her child/ren while maintaining confidentiality.

Howard County Police Department DVS Unit will assist in staff training of principals and vice principals in the HCPSS.

The team will continue discussion on involvement of student services staff and methods to ensure confidentiality.

Continued Goals of DVFRT

The Team has the ongoing goal of following through with our 2013 Recommendations, as well as including new participants in our working group.