



MARYLAND NETWORK AGAINST DOMESTIC VIOLENCE

Standards for Domestic Violence-Related Fatality Classifications

Domestic violence (DV) is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner¹ (also referred to as an Intimate Partner Relationship). This type of violence can occur among heterosexual or same-sex couples and does not require sexual intimacy.

In many jurisdictions, the term “domestic violence” is used to legally define abuse between members of the same household and may include relationships that are not considered “intimate” such as parent and child relationships. In Maryland, §4-501 of the Family Law Article² defines persons eligible for relief in a Protective Order Hearing in this broader context. MNADV defines a Domestic Violence-Related Fatality more narrowly as a fatality or suicide perpetrated within the context of or in connection to an Intimate Partner Relationship.

To identify domestic violence-related fatalities in Maryland, a MNADV multi-person team evaluates multiple sources for information regarding the circumstances and motives of fatalities from across the state. MNADV staff generate a list of fatalities believed to be DV-related and distributes that list to DV programs, law enforcement agencies, state’s attorney offices, and other allied professionals to review for accuracy and any omissions. The list includes names and ages for both the victims and the perpetrators. The list also includes jurisdiction, the manner of death and motive if available. After the reviewers have completed their evaluation, a final list is made public. Every decision made in the process of identifying DV-related fatalities is recorded.

Domestic violence is a complex social issue with many contributing factors. When determining if a fatality is DV-related, the MNADV considers these circumstances (not all considerations must be met to determine if a fatality is DV-related):

- Existence of power and control in the relationship,
- Presence of sexual intimacy (while not a requirement, it is a strong indicator of “intimacy”),
- Duration of the relationship (while not a requirement, a pattern of power and control typically develops over a period of time),
- Duration and escalation of the circumstance,
- Suicide by perpetrator within a reasonable time period after the actual or attempted fatality that would leave a reasonable person to deduce that the suicide was committed in connection with a domestic violence situation.
- Suicide by a victim or perpetrator where there is clear, public evidence that the death was motivated by domestic violence in the relationship,

¹ Definition of DV provided by the U.S. Office of Violence Against Women (www.justice.gov/ovw/domestic-violence) and the Centers for Disease Control (www.cdc.gov/violenceprevention/intimatepartnerviolence/definitions).

² Maryland Family Law, §4-501. <http://mgaleg.maryland.gov>.

- Police officer/s killed when responding to a domestic violence altercation or circumstance,
- A fatality that occurs as a result of a DV-related circumstance, such as when a police officer shoots an offender, a victim, or any third party.
- When the motive is determined to be DV-related or the circumstantial information provided by information sources determines that a fatality is DV-related.

Types of Domestic Violence-Related Fatalities

- Current or former spouses,
- Current or former cohabitants in an intimate relationship
- Individuals in a current or former dating relationship,
- Current or former same sex partners/spouses,
- Individuals with a child in common,
- Family members (including children) of domestic violence victims and/or perpetrators who are killed during a domestic violence altercation,
- Current partner or spouse of a domestic violence victim killed by the previous abusive partner with the motive of the murder being directly linked to the historical domestic violence,
- Bystanders who are killed during a domestic violence altercation.

Determination of Supporting Information

Information Sources

Information regarding DV-related fatalities is gathered from public information sources, media materials and professionals working in connection with the case, including the Maryland State Police Uniform Crime Report.

County

A DV-related fatality is assigned to the county in which various services such as legal, law enforcement or DV services would have been provided to the victim, not necessarily to the county where the homicide occurred.

When is a death classified as a domestic violence-related fatality/suicide?

A death becomes a DV-Related fatality after a defendant has been charged with the death, the homicide was determined to be justifiable, or a suicide was closed.

Date

The date of a DV-related fatality is the date on which the fatality occurred. If a death occurs during the year, but the police do not determine the death to be a homicide/suicide or charges are not brought until after the close of that year (June 30th), the case can still be added until December 31st of that same year allowing for cases to be investigated and still included on the fatality list for an additional six months.

MNADV will recognize the death of a DV victim who died in a prior year but not determined to be a DV fatality until the current year at the annual Memorial Service in the year her/his death is categorized as a DV fatality (example: a body is found in 2014, however the murder occurred in 2010). The previous year's numbers for DV-related fatalities will not be changed.

Cause of Death

The cause of death recorded on the MNADV DV-related fatality list will be the cause of death determined by the coroner's office or by the best available information. Typical causes include but are not limited to gun, knife, strangulation, blunt force trauma, vehicle, arson, drowning and asphyxiation.

Mercy Killings

"Mercy killings" or "suicide-pacts" often follow a debilitating medical diagnosis for an elderly person caring for a loved-one or spouse. A murder or attempted murder-suicide will be counted on the MNADV DV-Related Fatality List despite age or medical diagnosis if the circumstances would lead a reasonable person to deduce that if the victim would have availed herself/himself of DV services, the fatalities could have been prevented.