



Fatality Review Bulletin

Editor's Introduction Byron Johnson

Since assuming the directorship of NDVFRI in January 2005 I have a number of exciting developments to report. The Initiative moved to Baylor University in Waco, Texas and we have hired Gail Nichols as our administrator. Dr. Neil Websdale assumes the position of Principal Project Advisor and our team of consultants continue their outstanding work. In this newsletter you will find an updated list of our advisory board members, a synopsis of our upcoming conference, a summary of NDVFRI activities for the first four months of the grant cycle, and an article by the Chair of the Montana Fatality Review Initiative, Matthew Dale, documenting the growth and development of a uniquely rural death review initiative.



NDVFRI Director Byron Johnson at a recent panel on Missing Persons

National Domestic Violence Fatality Review Initiative

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NDVFRI Activities Byron Johnson

In the opening four months of this grant cycle we have planned our August 14-16 conference, made numerous site visits and presentations and laid out our trajectory for the remainder of the cycle. The last four months have witnessed some frantic activity in the field of adult domestic violence death review. NDVFRI staff attended and presented at the BWJP training in Washington DC on February 1st, 2005, giving two workshops. On February 2nd, 2005, Dr. Websdale presented to the Massachusetts Governor's Commission on Sexual and Domestic Violence as they considered their position on whether to proceed with review activity. On February 10th we provided technical assistance to the nascent Kansas Fatality Review Team, in Topeka, KS. As a result of that meeting two members of the Kansas team attended a death review in West Palm Beach, to see a more experienced team in action.

During this period NDVFRI formalized their links with the Inter-Agency Council on Child Abuse and Neglect (ICAN) group with Dr. Websdale joining the ICAN board and Dr. Durfee the NDVFRI board. We have also established formal web links between the two organizations' websites, with Dr. Alex Alvarez assisting with the NDVFRI side of the linkages.

Inside this issue:

Editors Introduction	1
NDVFRI Activities	2
Fatality Reviews in a Rural Setting: the Case of Montana	3
2005 NDVFRI Annual Conference	4
Advisory Board	5

Dr. Websdale presented a paper titled “Risk, Gender, and Intimate Partner Homicide” at Harvard Law School on February 18th, 2005, at a conference dedicated to “Improving the Criminal Justice System’s Capacity to Respond to Intimate Partner Violence.”

At the end of March myself, Neil Websdale, Chic Dabby, Cynthia Rubenstein, and Matthew Dale assembled to begin planning the August 2005 NDVFRI conference. We identified a number of possible speakers and designed the workshops. In our next newsletter we will provide a full conference agenda, which will also go up on our website at ndvfri.org.

NDVFRI staff made a site visit to the City of Toledo where both the mayor and county commissioner attended the community meeting. The four-hour workshop was well received with the Toledo group moving quickly toward establishing a team. The co-chair of their group, Law Professor Gabrielle Davis, plans to attend the conference and possibly bring colleagues with her.

At the request of the Office on Violence Against Women, NDVFRI staff provided on-site technical assistance to the Fort Smith, Arkansas community in the wake of a domestic violence related homicide. Staff met with community professionals involved in the case, visiting the domestic violence shelter, childcare facility and police department that served the victim and her family. NDVFRI staff provided a detailed workshop on setting up fatality review teams, paying special attention to the no-blame and shame philosophy in what turned out to be highly sensitive circumstances. The outcome worked well for all groups with the Chief of Police welcoming the chance to join with other service providers to review domestic violence related cases as a long-term strategy for improving multi-agency service delivery and reaching out to the community. One of the outcomes of this site visit was the establishment of a working relationship between the Fort Smith, Arkansas, Crisis Center for Women and NDVFRI.

During the first four months of the year Dr. Websdale attended and testified before both House and Senate committees in order to provide information on the fatality review process and the Arizona fatality review bill. Arizona Governor Janet Napolitano signed the bill into law on April 18th, 2005. The NDVFRI approached Governor Napolitano to give a lunchtime keynote address at the 2005 conference and we are awaiting her response to our invitation.

NDVFRI consultant Cynthia Rubenstein and Neil Websdale conducted a site visit to Colorado Springs, Colorado, on April 25th. The Colorado Springs teams had reached an impasse of sorts and wanted technical assistance to inform its decision to move forward. The result appears to have been a decision to reach out to community members and generally broaden the scope of fatality review activity. Their decision is consistent with that of a number of teams across the country who have moved toward more community-oriented review activity that attempts to access friends, family, survivors, workplace associates and others close to the victims of domestic violence homicides.

NDVFRI staff in conjunction with representatives from the Arizona Governor’s Office attended an April 27th, 2005 meeting of the City of Phoenix Domestic Violence Systems and Process Review Oversight Committee. The committee along with the mayor and city council is seriously considering fatality review for the City of Phoenix.

In my capacity as Director of NDVFRI, I presented a paper at the First National Strategy Meeting on Identifying the Missing, April 28-29, 2005 in Philadelphia. Catherine Pierce, of the Office on Violence Against Women, moderated a panel entitled: “Missing Persons and Intimate Partner Violence, Stalking, and Homicide.” Along with Jacquelyn Campbell of Johns Hopkins, I highlighted the work of fatality review teams in identifying factors that may have precipitated domestic violence related homicides as well as the possible linkages between missing persons and domestic violence more generally.

The events of September 11, 2001, demonstrated on a national scale the anguish when the remains of a missing person go unidentified. Historically, there has been an inability to maximize resources and share information among entities charged with identifying remains and entities conducting investigations. The U.S. Department of Justice (DOJ) has been charged with identifying the policies and practices that will allow investigative agencies to use every available tool—including DNA—in solving missing persons cases. At this meeting, DOJ brought together Federal, State, and local law enforcement; coroners and medical examiners; victim advocates; forensic scientists; key



David Thomas, Assistant Director, Domestic Violence Program, The Johns Hopkins University; **Fernando Mederos**, Consultant; **Jacquelyn Campbell**, Associate Dean, The Johns Hopkins University, School of Nursing; **Byron Johnson**, Director, NDVFRI; and **Catherine Pierce**, Associate Director, OVW.

policymakers; and family members who have lived through such tragic experiences. These participants along with DOJ will work to develop a national strategy to address this critical problem and to foster and enable collaboration across geographic jurisdictions and individual fields of expertise.

On May 4, 2005, Cynthia Rubenstein and Neil Websdale conducted a workshop on fatality review at the Alabama Governor's Conference on Domestic Violence. Unbeknownst to NDVFRI one small rural fatality review operates in the state of Alabama. We hope a contingent from Alabama will attend our August 2005 conference.

The Washington DC Domestic Violence Fatality Review Board met at Georgetown Law School on May 5th, 2005. NDVFRI staff provided technical assistance at that meeting as the Board decided to move forward with a fully-fledged review initiative. Law Professor Debra Epstein led the discussion and the Board conducted a mock review exercise to get their feet wet

Fatality Reviews in a Rural Setting: the Case of Montana.

Matthew Dale

Matthew Dale coordinates the Montana Domestic Violence Fatality Review Team.

Conducting domestic violence fatality reviews in a rural setting requires stamina, creativity and a core of dedicated team members. The extreme distances to be covered in a state like Montana add to the already challenging emotional work that all team members take on. At the same time, unique aspects of rural states provide opportunities that may not be available in a more urban setting. Following initial training by NDVFRI staff, the Montana team made decisions that take advantage of our state's peculiarities to create a unique review model.

Of course the dangers to domestic violence victims can also be extreme in rural communities. It is not uncommon for victims to be an hour or more away from the closest law enforcement officer and hundreds of miles away from the closest medical facility. Fewer than half of all counties in Montana have domestic violence shelters; several have no domestic violence services of any kind. Relationships among key figures can also be problematic, such as when the batterer, the officer and the judge all share family ties. Rural communities tend to have less turnover, with families living among one another for generations.

To review domestic violence homicides in this environment, and, more importantly, to craft workable, practical, recommendations, requires building upon a variety of existing fatality review models. One of the first decisions made by the Montana team was to have one statewide team, an arrangement similar to that found in states such as New Hampshire and Oklahoma. Montana is the size of New York, Pennsylvania and Ohio combined, with a population of only 927,000 people. We have few urban areas and they are all clustered in the western half of the state. We recognized early on that attempting to create multiple teams around the state was not workable. A single team would maximize limited financial and human resources while simultaneously building communications and networks.

A second significant decision was limiting the number of reviews undertaken each year. Since 2000 there have been 37 domestic violence homicides or homicide/suicides identified in Montana. There could easily be that many in a year or less in a larger community such as Metro Dade, Florida. The Montana team decided that its focus would be in-depth reviews of fewer deaths rather than brief examinations of all possible deaths. To that end, we undertake only two reviews per year. As a consequence, our review activity is at times very intense. One illustration of this intensity was our illuminating interview with the mother of a perpetrator. She spent five hours talking about the case, educating us on a number of important aspects of rural domestic violence. Our commitment to in-depth reviews is designed to explore and make sense of the compromises faced by victims that might not have been apparent to various service providers and community members. In this sense our work is reminiscent of that occurring in other jurisdictions such as West Palm Beach, Florida, where the death review team has liaised with a group of battered women to learn their impressions of the West Palm team's findings.

Our decision to form a statewide team helped inform other review protocols. It led to authorizing legislation, for instance. The team believed that institutionalizing three particular goals - exemption from the state's open meeting law, securing far-reaching capabilities for requesting information, and guarantees that our work would be confidential and not subject to subpoena, or discovery in a civil or criminal action - would make our reception in outlying communities

easier. Experience has borne out the wisdom of that decision.

Legislation also placed the review team in the Attorney General's Office, a setting that has given us significant advantages. The Attorney General appoints members, helps determine review sites, adds credibility to our work and serves as a significant champion for the team.

Not surprisingly, having only one team based out of the capital city can create negative perceptions too. More than once notice of an upcoming review has been met with knee-jerk resistance in the local community to "those bureaucrats descending on us to point fingers and find fault." Part of our focus as a team has been on instituting protocols to reduce those concerns through a variety of measures.

We have individuals on the team representing key groups such as law enforcement, victim services and judges, for instance, so that their colleagues in the local community are introduced to the review by "one of their own." Similarly, the team coordinator visits with the review site's combined community response team early in the process to discuss the review, answer questions and reduce suspicion.

Montana's team has learned that their ability to develop *relationships* with review site participants is directly related to the success of the review. Relationships open doors, such as when the team overcame defiance from a law enforcement official by pairing him with a team member he played baseball with years ago. They also reduce tension such as the time a police chief's anger and suspicion were diminished by an informal call from the Attorney General. Importantly, especially in this work, relationships reduce fear and anxiety. An example here was the time a church Board member encouraged their pastor to cooperate in an interview with the team's chaplain. Rural states with small populations lend themselves to this kind of social networking and it has proven a powerful tool in exploring the idiosyncrasies of cases.

In the beginning, our team did not have a faith community member and that hurt our work. Our third review took place in a very small community in which most members belonged to one church. Although there was a strong connection between the woman killed and that church, we did an inadequate job of reaching out to the pastor and other church members. That limited our ability to learn all we could about the victim (one of the team's guiding principles) and also limited our ability to make recommendations for the faith community in our biannual report. We learned from that mistake and added a chaplain before the next review. That individual has added immeasurably to the team, and he has conducted crucial interviews that otherwise may have been missed. In some communities missing the church connection means missing a great deal.

Domestic violence fatality reviews conducted in a rural setting call for a unique mindset. Team makeup is crucial. Members must have sufficient time, dedication and flexibility to cover the enormous geographical distances. They must be able to approach community members, including the family of the perpetrator, with compassion and an open mind. A team so comprised can learn, and teach an incredible amount. A team insensitive to the peculiarities of each review community will find itself shut out, greeted with suspicion and hostility, and will thus have little impact.

2005 NDVFRI Annual Conference August 15-16 Phoenix, Arizona — Arizona Biltmore Resort and Spa

The 2005 NDVFRI conference will take place at the Arizona Biltmore Resort and Spa in Phoenix, Arizona. Attendees will work a full day on Monday August 15th, 2005 and a half-day on Tuesday August 16th. The conference planning team consists of myself, Neil Websdale, Chic Dabby, Kathleen Ferraro, Matthew Dale and Cynthia Rubenstein. Alex Alvarez will be our point-person for technological needs and he can be reached at 928 523 9589 or by email at alex.alvarez@nau.edu. You can check out the conference details by going to our website at ndvfri.org.

Based on perceptive feedback from our last conference in Delray Beach, Florida, the Phoenix conference will be interactive in nature, providing the team members from across the country the opportunity for extensive participation through workshops. We have selected a small number of people to offer their thoughts at the front end of the three four-hour learning sessions. Attendees will then participate in an extensive interactive dialogue. In this way we hope teams will learn from each other and at the same time flesh-out many of the issues raised by panelists. We will create a record of these discussions and disseminate them in newsletter form after the conference and add some of these deliberations to our website.

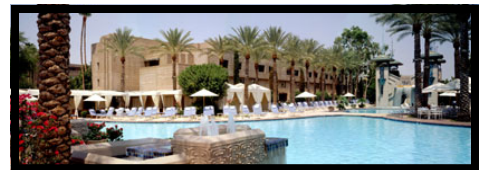
The three principal learning sessions include: *Lessons Learned/Mistakes Made*; *Thorny Issues* in domestic

violence; and *Risk/Prevention*. We feel these thematic discussions will elicit a broad range of productive exchanges and give voice to a number of issues arising across the country. Cynthia Rubenstein will oversee the organization of the *Lessons Learned/Mistakes Made* session. Within the *Lessons Learned/Mistakes Made* session attendees can engage in mock review activity should they so wish. Robin Thompson J.D. will oversee this mock-review activity. Please come prepared to share your own team experiences and contribute to the discussions.

Chic Dabby and Dr. Kathleen Ferraro will organize and facilitate the *thorny issues* session. Among the issues up for discussion are “Why doesn’t she leave?” “Good victims and bad victims,” “Women’s violence,” “the role of men,” the “role of faith,” the issue of “waiving rights to confidentiality.” We invite your comments and suggestions on the kinds of issues/questions we might include for discussion in this session. Send specific comments and suggestions regarding the *Thorny Issues* session to Neil.Websdale@nau.edu or call Neil at 928 523 9205.

The *Risk/Prevention* session brings together a group of panelists skilled in the field of risk assessment and management. Neil Websdale will organize and facilitate this learning session. Our approach to this topic is critical in tone and transcends the mere listing of risk factors. Again, we invite your suggestions as to what topics we might raise and how we might discuss them. Direct your comments/suggestions to Neil at the address shown above.

The theme of “experience” pervades the conference. We want to learn about the experiences of team members as well as hearing from survivors. To this end we have a survivor of domestic violence to help us address a number of the questions raised at the conference. In our wrap-up we will expressly address matters of attendees’ concerns, implementing change, and applying knowledge. We will also seek your feedback on the usefulness and feasibility of setting up a moderated web-based communication network between fatality review teams. We feel that such a network would be a natural outcome of an interactive conference such as this.



Visit the Arizona Biltmore Resort and Spa at:
www.arizonabiltmore.com

The NEW NDVFRI ADVISORY BOARD

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National Network to End Domestic Violence

Visit Our Website at www.ndvfri.org

Information includes:

- ◆ *Conference registration materials*
- ◆ *Mission statement*
- ◆ *Guiding principles*
- ◆ *Publications and newsletters*
- ◆ *Team protocols*
- ◆ *State reports*
- ◆ *And Much, Much, More!!*



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